

**Enrolled Minutes of the Fifty-First Regular or Special Meeting
For the Twenty-Seventh Highland Town Council
Regular Meeting
Monday, December 23, 2013**

Study Session. The Twenty-Seventh Town Council of the Town of Highland, Lake County, Indiana met in a study session preceding the regular meeting on Monday, December 23, 2013 at the special time of 5:40 O'clock P.M. in the regular place, the meeting chambers of the Highland Municipal Building, 3333 Ridge Road, Highland, Indiana.

Silent Roll Call: Councilors Bernie Zemen, Mark Herak, Dan Vassar, Dennis Adams and Konnie Kuiper were present. The Clerk-Treasurer, Michael W. Griffin was present to memorialize the proceedings. A quorum was attained.

General Substance of Matters Discussed.

1. The Town Council discussed the agenda of the imminent regular meeting.
2. The discussion included whether to take the issue of the PSAP interlocal cooperation agreement from the table.
3. The Town Council discussed with Ken Cuvala the multi-peril insurance lines that were presented for the Town Council's consideration of the agenda of the imminent meeting.

The study session ended at 6:02 O'clock p.m.

Regular meeting. The Twenty-Seventh Town Council of the Town of Highland, Lake County, Indiana met in its regular session on Monday, December 23, 2013 at the special time of 6:05 O'clock P.M. in the regular place, the plenary meeting chambers of the Highland Municipal Building, 3333 Ridge Road, Highland, Indiana.

The Town Council President, Bernie Zemen, presided and the Town Clerk-Treasurer, Michael W. Griffin, was present to memorialize the proceedings. The meeting was opened with Council President Zemen reciting the Pledge of Allegiance to the Flag of the United States of America and offering a prayer.

Roll Call: Present on roll call were Councilors Bernie Zemen, Mark Herak, Dan Vassar, Dennis Adams and Konnie Kuiper.

The Clerk-Treasurer, Michael W. Griffin was present to memorialize the proceedings. A quorum was attained.

Additional Officials Present: Rhett L. Tauber, Town Attorney; John Bach, Public Works Director; George Georgeff, Commander in the Metropolitan Police Department; Kenneth J. Mika, Building Commissioner; William R. Timmer, Jr., CFOD; and Alex M. Brown, CPRP, Parks and Recreation Superintendent were present.

Also Present: Kathryn A. Minchuk, Deputy Clerk-Treasurer; Ed Dabrowski, IT (Contract) Consultant; and Randy Bowman, Assistant Inspector for Electric were also present.

Minutes of the Previous Meetings:

The minutes of the regular meeting of *December 09, 2013* were approved under general consent.

Business Pending Previously Laid on the Table:

1. **Resolution No. 2013-55:** A Resolution Approving an Interlocal Cooperation Agreement for the Consolidation of Public Safety Answering Points (PSAPs) Pursuant to IC 36-8-

16.7-47 in Lake County Indiana. *(The Town Council voted to lay this matter on the table at its meeting of December 9, 2013.) (This being the next regular business session to come within the quarter, the Council may renew the motion to lay the matter on the table, in which case it remains until the end of the next regular business session, or the Council may take the matter from the table and then act. If no action happens, the matter "dies."*

There was no action to take the matter from the table.

Unfinished Business and General Orders:

1. **Resolution No. 2013-56:** An Exigent Resolution Providing For The Transfer Of Appropriation Balances From And Among Major Budget Classifications In The Metropolitan Police Department And The Fire Department Of The Corporation General Fund As Requested By The Proper Officers And Forwarded To The Town Council For Its Action Pursuant To IC 6-1.1-18-6.

Councilor Kuiper moved the passage and adoption of Resolution No. 2013-56. Councilor Adams seconded. Upon a roll call motion, there were five affirmatives and no negatives. The motion passed. The resolution was adopted.

**TOWN OF HIGHLAND
APPROPRIATION TRANSFER RESOLUTION
RESOLUTION NO. 2013-56**

AN EXIGENT RESOLUTION PROVIDING for the TRANSFER of APPROPRIATION BALANCES from and AMONG MAJOR BUDGET CLASSIFICATIONS in the Metropolitan Police Department and the Fire Department of the CORPORATION GENERAL FUND as REQUESTED BY THE PROPER OFFICERS AND FORWARDED to the TOWN COUNCIL for its ACTION PURSUANT TO IC 6-1.1-18-6.

WHEREAS, It has been determined that certain exigent conditions have developed since adoption of the original budget and it is now necessary to transfer certain appropriations into different categories than were initially appropriated for the various functions of the **Fire and the Metropolitan Police Departments of the CORPORATION GENERAL Fund;**

NOW, THEREFORE BE IT RESOLVED by the Town Council of the Town of Highland, Lake County, Indiana as follows:

Section 1. That for the expenses of said municipality, the following appropriations are hereby transferred and set apart out of the funds hereinafter named for the purposes specified, subject to the laws governing the same, such sums herein transferred unless otherwise stipulated by law;

Section 2. That is has been shown that certain existing unobligated appropriations in the **Fire and the Metropolitan Police Departments of the CORPORATION GENERAL Fund**, which are not needed at this time for the purposes for which originally appropriated, and may be transferred to a category of appropriation in order to satisfy an existing need, as follows:

CORPORATION GENERAL FUND

Metropolitan Police Department

Reduce the following Accounts:

| | | |
|--------------------------------------|-----------------------------|---------------------|
| 111.14 | Part-Time Radio Dispatchers | \$ 3,000.00 |
| 111.19 | Sergeants salaries | \$ 6,350.00 |
| 111.21 | Patrol Officers Salaries | \$ 36,350.00 |
| 111.22 | Radio Dispatchers wages | \$ 19,400.00 |
| 111.25 | Animal Warden | \$ 10,600.00 |
| 111.34 | Secretary Wages | \$ 5,700.00 |
| 113.01 | Uniform Allowance | \$ 3,600.00 |
| 113.03 | Uniform (Civilian) | \$ 1,693.00 |
| Total Decrease to 100 Series: | | \$ 86,693.00 |

| | | |
|---|--------------------------------------|----------------------|
| 340.23 | Group Health Insurance | \$ 119,092.00 |
| | Total Decrease to 300 Series: | \$ 119,092.00 |
| | Total of All Decreases | \$205,785.00 |
| <i>Increase the following Accounts:</i> | | |
| 111.05 | Clerical Wages | \$ 173.00 |
| 111.07 | Dispatcher/Records Clerk | \$ 49.00 |
| 111.16 | Commanders Salaries | \$ 135.00 |
| 111.17 | Chief Salary | \$ 22.00 |
| 111.18 | Lance Corporals Salaries | \$ 34.00 |
| 111.26 | Support Services Administrator | \$ 307.00 |
| 111.30 | Overtime wages | \$ 8,100.00 |
| 113.02 | Uniforms (New) | \$ 800.00 |
| | Total Increase to 100 Series: | \$ 9,620.00 |
| 210.01 | Gasoline | \$ 5,000.00 |
| 210.02 | Tires | \$ 2,500.00 |
| 210.04 | Institutional Supplies | \$ 1,693.00 |
| 220.04 | Equipment Parts & Supplies | \$ 29,008.00 |
| 230.04 | Other Supplies | \$ 23,400.00 |
| | Total Increase to 200 Series | \$ 61,601.00 |
| 310.03 | Consultants | \$ 4,850.00 |
| 380.06 | Service Agreements | \$ 26,520.00 |
| 390.01 | Subscriptions and Dues | \$ 2,800.00 |
| | Total Increase to 300 Series | \$ 34,170.00 |
| 430.12 | Police Vehicles and Equipment | \$100,394.00 |
| | Total Increase to 400 Series | \$100,394.00 |
| | Total of All Increases | \$205,785.00 |

Fire Department

Reduce the following Accounts:

| | | |
|--------|--------------------------------------|---------------------|
| 210.02 | Tire & Tubes | \$ 438.69 |
| 220.01 | Radio Supplies | \$ 337.10 |
| 220.04 | Vehicle maintenance | \$ 751.26 |
| 230.04 | Other Supplies | \$ 1,463.55 |
| | Total Decrease to 200 Series: | \$ 2,990.60 |
| 350.01 | Electrical Utilities | \$ 3,692.18 |
| 350.03 | Natural Gas Utilities | \$ 6,063.67 |
| 310.04 | Tuition | \$ 1,705.00 |
| 320.02 | Travel Expenses | \$ 2,000.00 |
| 320.06 | Mobile Data Expenses | \$ 1,950.00 |
| 360.01 | Equipment Repair | \$ 1,342.16 |
| 370.01 | Equipment Rental | \$ 1,231.00 |
| | Total Decrease to 300 Series: | \$ 17,984.01 |
| 410.02 | Facilities Upgrade | \$ 1,450.00 |
| 410.03 | Mobile Information Management | \$ 2,000.00 |
| 430.03 | Other Equipment | \$ 1,302.56 |
| 430.06 | Fire Suppression Equipment | \$ 2,000.00 |
| | Total Increase to 400 Series | \$ 6,752.56 |
| | Total of All Decreases | \$ 27,727.17 |

Increase the following Accounts:

| | | |
|--------|--------------------------------------|---------------------|
| 430.05 | Fire Fighter Turn-Out Gear | \$ 27,727.12 |
| | Total Increase to 400 Series: | \$ 27,727.12 |
| | Total of All Increases | \$ 27,727.12 |

DULY RESOLVED and ADOPTED this 23rd Day of December 2013 by the Town Council of the Town of Highland, Lake County, Indiana, having been passed by a vote of 5 in favor and 0 opposed.

**TOWN COUNCIL of the TOWN of
HIGHLAND, INDIANA**

Bernie Zemen, President (IC 36-5-2-10)

Attest:

Michael W. Griffin, IAMC/MMC/CPFA/CPFIM/CMO
Clerk-Treasurer (IC 33-16-4-1; IC 36-5-6-5)

2. **Works Board Order No. 2013-61: An Order Of The Works Board Authorizing The Purchase Of Fifteen Firefighters Protective Garments Known As Turn-Out Gear.**

Councilor Adams moved the passage and adoption of Works Board Order No. 2013-61. Councilor Kuiper seconded. Upon a roll call vote, there were five affirmatives and no negatives. The motion passed. The order was adopted.

**Town of Highland
Board of Works
Order of the Works Board 2013-61**

AN ORDER OF THE WORKS BOARD AUTHORIZING THE PURCHASE OF FIFTEEN FIREFIGHTERS PROTECTIVE GARMENTS KNOWN AS TURN-OUT GEAR.

Whereas, The Town of Highland, Fire Department, as part of its public duties, has responsibility for fire suppression and emergency response, including equipping firefighters for their safety in such a response, throughout the Town of Highland and the Fire Chief has determined a need to purchase 15 replacement Fire Fighter's protective garment sets, known as Turn-out gear, in order to carry out its responsibility;

Whereas, The Fire Chief has determined a need to replace certain equipment and supplies and has further determined the purchase price will be below \$50,000.00;

Whereas, The Fire Chief has identified MES of Indiana as a desirable source vendor for eight (8) sets of turn out gear at the unit price of \$2,100 each;

Whereas, The Fire Chief has further identified Fire Service, Incorporated as a desirable source vendor for seven (7) sets of turn out gear at the unit price of \$2,045 each;

Whereas, The price for the purchase exceeds \$10,000.00 and, pursuant to Section 3.05.040 (C) as well as Section 3.05.050 (C)(1) of the Highland Municipal Code requires the express approval of the purchasing agency;

Whereas, The Town Council as the Works Board of the Municipality, pursuant to Section 3.05.030 (A)(1)(d) of the Highland Municipal Code serves as the purchasing agency for the Fire Department; and

Whereas, The Fire Chief, pursuant to Section 3.05.050 (D)(4) of the Highland Municipal Code, serves as the Purchasing Agent for the Fire Department;

Whereas, The Purchasing Agent, pursuant to Section 3.050.060 (G)(4) of the Highland Municipal Code, expected that the purchase would not be in excess of \$50,000.00, qualifying for treatment as a small purchase, and therefore, determined to purchase in the open market in accordance with 3.05.060 (G)(2) of the Highland Municipal Code;

Whereas, The Purchasing Agent, pursuant to Section 3.050.060 (I)(12) of the Highland Municipal Code, elected to purchase seven (7) of the fifteen (15) sets of turn-out gear from a second vendor that sells gear from an alternative, new manufacturer, Ricochet, which the Fire Chief seeks in order to evaluate the product, obtaining functional information and comparative data regarding the alternative provider's product;

Whereas, The purchase of the equipment will be supported by the appropriations identified in the budget of the Fire Department in the Corporation General Fund; and

Whereas, The Town Council now desires to approve and authorize the Fire Chief to complete the purchase pursuant to the terms stated herein,

Now Therefore Be it Ordered by the Town Council of the Town of Highland, Lake County, Indiana:

Section 1. That the proposal of MES for eight sets of turn-out gear, at the unit price of \$2,100 each, in the amount of sixteen thousand, eight hundred dollars (\$16,800) plus shipping in the amount of \$306 is hereby accepted, authorized and approved in all respects;

Section 2. That the proposal of Fire Service, Incorporated for seven sets of turn-out gear, at the unit price of \$2,045 each, in the amount of fourteen thousand, three hundred fifteen dollars (\$14,315) plus shipping in the amount of \$306 is hereby accepted, authorized and approved in all respects;

Section 3. That the Town Council acting as the Works Board hereby finds and determines the following:

(A) That all the purchases authorized and approved by this order represent a duly executed *small purchase* pursuant to IC 5-22 and Section 3.050.060 (G)(4) of the Highland Municipal Code;

(B) That the purchase from *Fire Service, Incorporated* authorized and approved by this order, in order to evaluate its product, obtain functional information and comparative data pursuant to IC 5-22 and Section 3.050.060 (I)(12) of the Highland Municipal Code, is hereby further affirmed;

Section 4. That the Fire Chief is now authorized and approved to execute the purchase agreement and any additional documents in order to implement this purchase and then file any such documents as financial materials with the Office of the Clerk-Treasurer, pursuant to IC 36-5-4-14.

Be it so Ordered.

DULY PASSED and ORDERED this 23rd Day of December by the Town Council of the Town of Highland, Lake County, Indiana, acting as the Works Board, and having been passed by a vote of 5 in favor and 0 opposed.

**TOWN COUNCIL of the TOWN of
HIGHLAND, INDIANA**

Bernie Zemen, President (IC 36-5-2-10)

Attest:

Michael W. Griffin, IAMC/MMC/CPFA/CPFIM/CMO
Clerk-Treasurer (IC 33-16-4-1; IC 36-5-6-5)

3. **Works Board Order No. 2013-62:** An Order Approving and Authorizing the Metropolitan Police Chief to Purchase from Thomas Dodge of Highland, IN through the State of Indiana (3) three 2014 Dodge Chargers, pursuant to I.C. 5-22.

Councilor Kuiper moved the passage and adoption of Works Board Order No. 2013-62. Councilor Adams seconded. Upon a roll call vote, there were five affirmatives and no negatives. The motion passed. The order was adopted.

**Town of Highland
Board of Works
Order of the Works Board 2013-62**

An Order Approving and Authorizing the Metropolitan Police Chief to Purchase from Thomas Dodge of Highland, IN through the State of Indiana (3) three 2014 Dodge Chargers, pursuant to I.C. 5-22.

Whereas, The Town of Highland Metropolitan Police Department, as part of its public duties, has a responsibility for patrol, public safety and protection of life and property throughout the Town of Highland and, from time to time, it is necessary to purchase and or lease materials and supplies in order to carry out the functions of the department; and

Whereas, The Metropolitan Police Chief has determined a need to replace certain equipment and supplies and has further determined the purchase price will be below \$75,000.00;

Whereas, The Metropolitan Police Chief has identified Thomas Dodge of Highland, a Q.P.A. vendor of the State of Indiana, to be a desirable source vendor for the purchase of three (3) 2014 Dodge Chargers with two at price of \$22,015 and one at a price of \$22,344 for a total of \$66,374.00;

Whereas, The price for the purchase exceeds \$10,000.00 and, pursuant to Section 3.05.040 (C) as well as Section 3.05.050 (B)(1)(b) of the Highland Municipal Code requires the express approval of the purchasing agency; and

Whereas, The Town Council as the Works Board of the Municipality, pursuant to Section 3.05.030 (A)(1)(b) of the Highland Municipal Code serves as the purchasing agency for the Metropolitan Police Department; and

Whereas, The Metropolitan Police Chief, pursuant to Section 3.05.050 (D)(2) of the Highland Municipal Code, serves as the Purchasing Agent for the Metropolitan Police Department; and

Whereas, The Purchasing Agent, pursuant to Section 3.050.060 (F) of the Highland Municipal Code, expected that the purchase would be at least \$50,000 and not more than \$150,000.00 and solicited quotes from at least three (3) persons known to deal in the lines of supplies to be purchased in accordance with 3.05.060 (F)(1) and (3) of the Highland Municipal Code; and

Whereas, The purchase of the vehicle will be supported by the Municipal Capital Cumulative Fund (MCCD);

Whereas, The Town Council now desires to approve and authorize the Police Chief to complete the purchase pursuant to the terms and stated herein,

NOW, THEREFORE BE IT ORDERED by the Town Council of the Town of Highland, Lake County, Indiana, acting as the Works Board of Municipality:

Section 1. That the Works Board hereby authorizes and approves the purchase from Thomas Dodge of Highland, a Q.P.A. vendor of the State of Indiana, to be a desirable source vendor for the purchase of three (3) 2014 Dodge Chargers with two at price of \$22,015 and one at a price of \$22,344 for a total of \$66,374.00, pursuant to IC 5-22 and Section 3.05.060 (F)(1) and (3) of the Highland Municipal Code;

Section 2. That the Works Board hereby finds and determines that the purchase as an individual purchase represents a duly executed purchase pursuant to IC 5-22 and Section 3.05.060 (F)(1) and (3) of the Highland Municipal Code;

Section 3. That the Metropolitan Police Chief is now authorized and approved to execute the purchase agreement and any additional documents in order to implement this purchase and then file these documents as financial materials with the Office of the Clerk-Treasurer, pursuant to IC 36-5-4-14.

Be It So Ordered.

DULY PASSED and ORDERED this 23rd Day of December by the Town Council of the Town of Highland, Lake County, Indiana, acting as the Works Board, and having been passed by a vote of 5 in favor and 2 opposed.

**TOWN COUNCIL of the TOWN of
HIGHLAND, INDIANA**

Bernie Zemen, President (IC 36-5-2-10)

Attest:

Michael W. Griffin, IAMC/MMC/CPFA/CPFIM/CMO
Clerk-Treasurer (IC 33-16-4-1; IC 36-5-6-5)

4. **Works Board Order No. 2013-63:** An Order Approving and Authorizing the Metropolitan Police Chief to Purchase from NWI Emergency Outfitters, LLC of Highland, Indiana, several articles of police vehicle equipment pursuant to I.C. 5-22 and Chapter 3.05 of the Municipal Code.

Councilor Vassar moved the passage and adoption of Works Board Order No. 2013-63. Councilor Herak seconded. Upon a roll call vote, there were five affirmatives and no negatives. The motion passed. The order was adopted.

**Town of Highland
Board of Works
Order of the Works Board 2013-63**

An Order Approving and Authorizing the Metropolitan Police Chief to Purchase from NWI Emergency Outfitters, LLC of Highland, Indiana, several articles of police vehicle equipment pursuant to I.C. 5-22 and Chapter 3.05 of the Municipal Code.

Whereas, The Town of Highland Metropolitan Police Department, as part of its public duties, has a responsibility for patrol, public safety and protection of life and property throughout the Town of Highland and, from time to time, it is necessary to purchase and or lease materials and supplies in order to carry out the functions of the department; and

Whereas, The Metropolitan Police Chief has determined a need to replace certain equipment and supplies and has further determined the purchase price will be below \$50,000.00;

Whereas, The Metropolitan Police Chief has identified NWI Emergency Outfitters, LLC of Highland, Indiana to be the vendor that offers equipment at a total purchase price of \$34,430.00;

Whereas, The price for the purchase exceeds \$10,000.00 and, pursuant to Section 3.05.040 (C) as well as Section 3.05.050 (B)(1)(b) of the Highland Municipal Code requires the express approval of the purchasing agency; and

Whereas, The Town Council as the Works Board of the Municipality, pursuant to Section 3.05.030 (A)(1)(b) of the Highland Municipal Code serves as the purchasing agency for the Metropolitan Police Department; and

Whereas, The Metropolitan Police Chief, pursuant to Section 3.05.050 (D)(2) of the Highland Municipal Code, serves as the Purchasing Agent for the Metropolitan Police Department; and

Whereas, The Purchasing Agent, pursuant to Section 3.050.060 (G)(4) of the Highland Municipal Code, expected that the purchase would **not** be in excess of \$50,000.00, qualifying for treatment as a small purchase, and therefore, determined to purchase in the open market in accordance with 3.05.060 (G)(2) of the Highland Municipal Code;

Whereas, The purchase of the vehicle will be supported by a duly approved appropriation in the Metropolitan Police Department of the Corporation General Fund;

Whereas, The Town Council now desires to approve and authorize the Police Chief to complete the purchase pursuant to the terms and stated herein,

NOW, THEREFORE BE IT ORDERED by the Town Council of the Town of Highland, Lake County, Indiana, acting as the Works Board of Municipality:

Section 1. That the Works Board hereby authorizes and approves the purchase from NWI Emergency Outfitters, LLC of Highland, Indiana, as a desirable source vendor for the purchase of various articles of vehicle equipment for a total purchase price of \$34,430.00, pursuant to IC 5-22 and Section 3.05.060 (G)(2) of the Highland Municipal Code;

Section 2. That the Works Board hereby finds and determines that the purchase represents a duly executed small purchase pursuant to IC 5-22 and Section 3.05.060 (G)(2) of the Highland Municipal Code;

Section 3. That the Metropolitan Police Chief is now authorized and approved to execute the purchase agreement and any additional documents in order to implement this purchase and then file these documents as financial materials with the Office of the Clerk-Treasurer, pursuant to IC 36-5-4-14.

Be It So Ordered.

DULY PASSED and ORDERED this 23rd Day of December by the Town Council of the Town of Highland, Lake County, Indiana, acting as the Works Board, and having been passed by a vote of 5 in favor and 0 opposed.

**TOWN COUNCIL of the TOWN of
HIGHLAND, INDIANA**

Bernie Zemen, President (IC 36-5-2-10)

Attest:

Michael W. Griffin, IAMC/MMC/CPFA/CPFIM/CMO
Clerk-Treasurer (IC 33-16-4-1; IC 36-5-6-5)

5. **Works Board Order No. 2013-64:** An Order Approving and Authorizing the Metropolitan Police Chief to Purchase from Glock, Inc., of Smyrna Georgia, several duty weapons pursuant to I.C. 5-22 and Chapter 3.05 of the Municipal Code.

Councilor Vassar moved the passage and adoption of Works Board Order No. 2013-64. Councilor Kuiper seconded. Upon a roll call vote, there were five affirmatives and no negatives. The motion passed. The order was adopted.

**Town of Highland
Board of Works
Order of the Works Board 2013-64**

An Order Approving and Authorizing the Metropolitan Police Chief to Purchase from Glock, Inc., of Smyrna Georgia, several duty weapons pursuant to I.C. 5-22 and Chapter 3.05 of the Municipal Code.

Whereas, The Town of Highland Metropolitan Police Department, as part of its public duties, has a responsibility for patrol, public safety and protection of life and property throughout the Town of Highland and, from time to time, it is necessary to purchase and or lease materials and supplies in order to carry out the functions of the department; and

Whereas, The Metropolitan Police Chief has determined a need to replace certain equipment and supplies and has further determined the purchase price will be below \$50,000.00;

Whereas, The Metropolitan Police Chief has identified Glock, Inc., of Smyrna, Georgia to be the desirable vendor offering Model G 22 duty weapon at unit price of \$414 each for a total of \$19,044 minus the trade-ins of \$10,500 rendering a total purchase price of \$8,544.00;

Whereas, The price for the purchase is below \$10,000.00 and therefore would not require express approval pursuant to Section 3.05.040 (C) as well as Section 3.05.050 (B)(1)(b) of the Highland Municipal Code, however, the Metropolitan Police Chief desires approval of the purchase and trade-in by the purchasing agency; and

Whereas, The Town Council as the Works Board of the Municipality, pursuant to Section 3.05.030 (A)(1)(b) of the Highland Municipal Code serves as the purchasing agency for the Metropolitan Police Department; and

Whereas, The Metropolitan Police Chief, pursuant to Section 3.05.050 (D)(2) of the Highland Municipal Code, serves as the Purchasing Agent for the Metropolitan Police Department; and

Whereas, The Purchasing Agent, pursuant to Section 3.050.060 (G)(4) of the Highland Municipal Code, expected that the purchase would **not** be in excess of \$50,000.00, qualifying for treatment as a small purchase, and therefore, determined to purchase in the open market in accordance with 3.05.060 (G)(2) of the Highland Municipal Code;

Whereas, The purchase of the duty weapons will be supported by a duly approved appropriation in the Metropolitan Police Department of the Corporation General Fund;

Whereas, The Town Council now desires to approve and authorize the Police Chief to complete the purchase pursuant to the terms and stated herein,

NOW, THEREFORE BE IT ORDERED by the Town Council of the Town of Highland, Lake County, Indiana, acting as the Works Board of Municipality:

Section 1. That the Works Board hereby authorizes and approves the purchase from Glock, Inc., of Smyrna, Georgia as a desirable vendor offering Model G 22 duty weapon at unit price of \$414 each for a total of \$19,044 minus the trade-ins of \$10,500 rendering a total purchase price of \$8,544.00, pursuant to IC 5-22 and Section 3.05.060 (G)(2) of the Highland Municipal Code;

Section 2. That the Works Board hereby approves the trade-in of the departmental duty weapons in support of the purchase, pursuant to IC 36-1-11-9;

Section 3. That the Works Board hereby finds and determines that the purchase represents a duly executed small purchase pursuant to IC 5-22 and Section 3.05.060 (G)(2) of the Highland Municipal Code;

Section 4. That the Metropolitan Police Chief is now authorized and approved to execute the purchase agreement and any additional documents in order to implement this purchase and then file these documents as financial materials with the Office of the Clerk-Treasurer, pursuant to IC 36-5-4-14.

Be It So Ordered.

DULY PASSED and ORDERED this 23rd Day of December by the Town Council of the Town of Highland, Lake County, Indiana, acting as the Works Board, and having been passed by a vote of 5 in favor and 0 opposed.

**TOWN COUNCIL of the TOWN of
HIGHLAND, INDIANA**

Bernie Zemen, President (IC 36-5-2-10)

Attest:

Michael W. Griffin, IAMC/MMC/CPFA/CPFIM/CMO
Clerk-Treasurer (IC 33-16-4-1; IC 36-5-6-5)

6. **Works Board Order No. 2013-65:** An Order Approving and Authorizing the Metropolitan Police Chief to Purchase from Rock River Arms, Inc., of Summit, Illinois several duty rifle weapons pursuant to I.C. 5-22 and Chapter 3.05 of the Municipal Code.

Councilor Kuiper moved the passage and adoption of Works Board Order No. 2013-65. Councilor Adams seconded. Upon a roll call vote, there were five affirmatives and no negatives. The motion passed. The order was adopted.

**Town of Highland
Board of Works
Order of the Works Board 2013-65**

An Order Approving and Authorizing the Metropolitan Police Chief to Purchase from Rock River Arms, Inc., of Summit, Illinois several duty rifle weapons pursuant to I.C. 5-22 and Chapter 3.05 of the Municipal Code.

Whereas, The Town of Highland Metropolitan Police Department, as part of its public duties, has a responsibility for patrol, public safety and protection of life and property throughout the Town of Highland and, from time to time, it is necessary to purchase and or lease materials and supplies in order to carry out the functions of the department; and

Whereas, The Metropolitan Police Chief has determined a need to replace certain equipment and supplies and has further determined the purchase price will be below \$50,000.00;

Whereas, The Metropolitan Police Chief has identified Rock River Arms, Inc., of Summit, Illinois to be the desirable source vendor offering fourteen Model 2080 LE tactical carbine duty weapons at unit price of \$975 each for a total of \$13,650, and three Model 9080 LE tactical carbine duty weapons at unit price of \$1,045 each for a total of \$3,135.00, minus the trade-ins of \$12,325 rendering a total purchase price of \$4,495.00;

Whereas, The price for the purchase is below \$10,000.00 and therefore would not require express approval pursuant to Section 3.05.040 (C) as well as Section 3.05.050 (B)(1)(b) of the Highland Municipal Code, however, the Metropolitan Police Chief desires approval of the purchase and trade-in by the purchasing agency; and

Whereas, The Town Council as the Works Board of the Municipality, pursuant to Section 3.05.030 (A)(1)(b) of the Highland Municipal Code serves as the purchasing agency for the Metropolitan Police Department; and

Whereas, The Metropolitan Police Chief, pursuant to Section 3.05.050 (D)(2) of the Highland Municipal Code, serves as the Purchasing Agent for the Metropolitan Police Department; and

Whereas, The Purchasing Agent, pursuant to Section 3.05.060 (G)(4) of the Highland Municipal Code, expected that the purchase would **not** be in excess of \$50,000.00, qualifying for treatment as a small purchase, and therefore, determined to purchase in the open market in accordance with 3.05.060 (G)(2) of the Highland Municipal Code;

Whereas, The purchase of the duty rifle weapons will be supported by a duly approved appropriation in the Metropolitan Police Department of the Corporation General Fund;

Whereas, The Town Council now desires to approve and authorize the Police Chief to complete the purchase pursuant to the terms and stated herein,

NOW, THEREFORE BE IT ORDERED by the Town Council of the Town of Highland, Lake County, Indiana, acting as the Works Board of Municipality:

Section 1. That the Works Board hereby authorizes and approves the purchase from Rock River Arms, Inc., of Summit, Illinois the desirable source vendor offering fourteen Model 2080 LE tactical carbine duty weapons at unit price of \$975 each for a total of \$13,650, and three Model 9080 LE tactical carbine duty weapons at unit price of \$1,045 each for a total of \$3,135.00, minus the trade-ins of \$12,325 rendering a total purchase price of \$4,495.00, pursuant to IC 5-22 and Section 3.05.060 (G)(2) of the Highland Municipal Code;

Section 2. That the Works Board hereby approves the trade-in of the departmental duty weapons in support of the purchase, pursuant to IC 36-1-11-9;

Section 3. That the Works Board hereby finds and determines that the purchase represents a duly executed small purchase pursuant to IC 5-22 and Section 3.05.060 (G)(2) of the Highland Municipal Code;

Section 3. That the Metropolitan Police Chief is now authorized and approved to execute the purchase agreement and any additional documents in order to implement this purchase and then file these documents as financial materials with the Office of the Clerk-Treasurer, pursuant to IC 36-5-4-14.

Be It So Ordered.

DULY PASSED and ORDERED this 23rd Day of December by the Town Council of the Town of Highland, Lake County, Indiana, acting as the Works Board, and having been passed by a vote of 5 in favor and 0 opposed.

**TOWN COUNCIL of the TOWN of
HIGHLAND, INDIANA**

Bernie Zemen, President (IC 36-5-2-10)

Attest:

Michael W. Griffin, IAMC/MMC/CPFA/CPFIM/CMO
Clerk-Treasurer (IC 33-16-4-1; IC 36-5-6-5)

7. **Works Board Order No. 2013-66:** An Order Approving and Authorizing the Metropolitan Police Chief to Purchase from Brownells, Inc., of Montezuma, Iowa duty rifle accessories pursuant to I.C. 5-22 and Chapter 3.05 of the Municipal Code.

Councilor Vassar moved the passage and adoption of Works Board Order No. 2013-66. Councilor Herak seconded. Upon a roll call vote, there were five affirmatives and no negatives. The motion passed. The order was adopted.

**Town of Highland
Board of Works
Order of the Works Board 2013-66**

An Order Approving and Authorizing the Metropolitan Police Chief to enter into a Purchase Agreement with Brownells, Inc., of Montezuma, Iowa to purchase duty rifle accessories pursuant to I.C. 5-22 and Chapter 3.05 of the Municipal Code.

Whereas, The Town of Highland Metropolitan Police Department, as part of its public duties, has a responsibility for patrol, public safety and protection of life and property throughout the Town of Highland and, from time to time, it is necessary to purchase and or lease materials and supplies in order to carry out the functions of the department; and

Whereas, The Metropolitan Police Chief has determined a need to replace certain equipment and supplies and has further determined the purchase price will be below \$50,000.00;

Whereas, The Metropolitan Police Chief has identified Brownells, Inc., of Montezuma, Iowa to be the desirable source vendor for the purchase of duty rifle accessories at a total purchase price of \$10,348.86;

Whereas, The price for the purchase exceeds \$10,000.00 and requires express approval of the purchasing agency pursuant to Section 3.05.040 (C) and Section 3.05.050 (B)(1)(b) of the Highland Municipal Code; and

Whereas, The Town Council as the Works Board of the Municipality, pursuant to Section 3.05.030 (A)(1)(b) of the Highland Municipal Code serves as the purchasing agency for the Metropolitan Police Department; and

Whereas, The Metropolitan Police Chief, pursuant to Section 3.05.050 (D)(2) of the Highland Municipal Code, serves as the Purchasing Agent for the Metropolitan Police Department; and

Whereas, The Purchasing Agent, pursuant to Section 3.05.060 (G)(4) of the Highland Municipal Code, expected that the purchase would **not** be in excess of \$50,000.00, qualifying for treatment as a small purchase, and therefore, determined to purchase in the open market in accordance with 3.05.060 (G)(2) of the Highland Municipal Code;

Whereas, The purchase of the duty rifle accessories will be supported by a duly approved appropriation in the Metropolitan Police Department of the Corporation General Fund;

Whereas, The Town Council now desires to approve and authorize the Police Chief to complete the purchase pursuant to the terms and stated herein,

NOW, THEREFORE BE IT ORDERED by the Town Council of the Town of Highland, Lake County, Indiana, acting as the Works Board of Municipality:

Section 1. That the Works Board hereby authorizes and approves the purchase from Brownells, Inc., of Montezuma, Iowa as a desirable source vendor for the purchase of duty rifle accessories at a total purchase price of \$10,348.86, pursuant to IC 5-22 and Section 3.05.060 (G)(2) of the Highland Municipal Code;

Section 2. That the Works Board hereby finds and determines that the purchase represents a duly executed small purchase pursuant to IC 5-22 and Section 3.05.060 (G)(2) of the Highland Municipal Code;

Section 3. That the Metropolitan Police Chief is now authorized and approved to execute the purchase agreement and any additional documents in order to implement this purchase and then file these documents as financial materials with the Office of the Clerk-Treasurer, pursuant to IC 36-5-4-14.

Be It So Ordered.

DULY PASSED and ORDERED this 23rd Day of December by the Town Council of the Town of Highland, Lake County, Indiana, acting as the Works Board, and having been passed by a vote of 5 in favor and 0 opposed.

**TOWN COUNCIL of the TOWN of
HIGHLAND, INDIANA**

Bernie Zemen, President (IC 36-5-2-10)

Attest:

Michael W. Griffin, IAMC/MMC/CPFA/CPFIM/CMO
Clerk-Treasurer (IC 33-16-4-1; IC 36-5-6-5)

8. **Resolution No. 2013-57:** An Exigent Resolution Providing For The Transfer Of Appropriation Balances From And Among Major Budget Classifications of the Redevelopment General Fund As Requested By The Proper Officer And Forwarded To The Town Council For Its Action Pursuant To IC 6-1.1-18-6.

Councilor Herak moved the passage and adoption of Resolution No. 2013-57. Councilor Vassar seconded. Upon a roll call vote, there were five affirmatives and no negatives. The motion passed. The resolution was adopted.

**TOWN OF HIGHLAND
APPROPRIATION TRANSFER RESOLUTION
RESOLUTION NO. 2013-57**

AN EXIGENT RESOLUTION PROVIDING for the TRANSFER of APPROPRIATION BALANCES from and AMONG MAJOR BUDGET CLASSIFICATIONS in the REDEVELOPMENT GENERAL FUND as REQUESTED BY THE PROPER OFFICER AND FORWARDED to the TOWN COUNCIL for its ACTION PURSUANT TO IC 6-1.1-18-6.

WHEREAS, It has been determined that certain exigent conditions have developed since adoption of the original budget and it is now necessary to transfer certain appropriations into different categories than were initially appropriated for the various functions of the **REDEVELOPMENT GENERAL Fund**;

NOW, THEREFORE BE IT RESOLVED by the Town Council of the Town of Highland, Lake County, Indiana as follows:

Section 1. That for the expenses of said municipality, the following appropriations are hereby transferred and set apart out of the funds hereinafter named for the purposes specified, subject to the laws governing the same, such sums herein transferred unless otherwise stipulated by law;

Section 2. That it has been shown that certain existing unobligated appropriations in the **REDEVELOPMENT GENERAL Fund**, which are not needed at this time for the purposes for which originally appropriated, and may be transferred to a category of appropriation in order to satisfy an existing need, as follows:

REDEVELOPMENT GENERAL FUND

Reduce the following Account:

| | |
|--------------------------|----------|
| 390.03 Public Relations: | \$966.00 |
| | \$966.00 |

| | |
|-------------------------------------|-----------------|
| Total 300 Series Reductions: | \$966.00 |
|-------------------------------------|-----------------|

Increase the following Accounts:

| | |
|----------------------------|----------|
| 111.16 Personal Temporary: | \$966.00 |
| | \$966.00 |

| | |
|------------------------------------|-----------------|
| Total 100 Series Increases: | \$966.00 |
|------------------------------------|-----------------|

DULY RESOLVED and ADOPTED this 23rd Day of December 2013 by the Town Council of the Town of Highland, Lake County, Indiana, having been passed by a vote of 5 in favor and 0 opposed.

**TOWN COUNCIL of the TOWN of
HIGHLAND, INDIANA**

Bernie Zemen, President (IC 36-5-2-10)

Attest:

Michael W. Griffin, IAMC/MMC/CPFA/CPFIM/CMO
Clerk-Treasurer (IC 33-16-4-1; IC 36-5-6-5)

9. **Works Board Order No. 2013-67:** An Order Authorizing, and Approving the Payment of Elective Honoraria or Stipends to the ARC Bridges of Lake County, In Highland in Recognition of and in Goodwill for their Support and Cooperation in the Annual Highland Christmas Parade.

Councilor Herak moved the passage and adoption of Works Board Order No. 2013-67. Councilor Vassar seconded. Upon a roll call vote, there were five affirmatives and no negatives. The motion passed. The order was adopted.

THE TOWN of HIGHLAND
WORKS BOARD ORDER NO. 2013-67

AN ORDER AUTHORIZING, AND APPROVING THE PAYMENT OF ELECTIVE HONORARIA OR STIPENDS
to the ARC BRIDGES OF LAKE COUNTY, IN HIGHLAND in Recognition of and in Goodwill for their
SUPPORT AND COOPERATION IN THE ANNUAL HIGHLAND CHRISTMAS PARADE.

Whereas, The Town Council for the Town of Highland is the Legislative and Fiscal Body of the Municipality as well as the works board pursuant to IC 36-1-2 et seq.,

Whereas, The Highland Community Events Commission, did organize and marshal the annual Christmas Holiday Parade; and

Whereas, The Highland Community Events Commission did enlist ARC Bridges of Lake County, located on Kennedy Avenue, and its clients and workshop participants to assist with the stuffing of the goodie bags distributed during the visit of Santa Claus;

Whereas, The Highland Community Events Commission has informed the Town Council that it has been customary for the payment of an honorarium or stipend to some of the supporting groups in recognition of their special contribution and cooperation in support of the parade event;

Whereas, The Highland Community Events Commission has further recommended, requested and identified appropriations in the Special Events Non Reverting Fund be authorized to support the payment of these honoraria and stipends;

Whereas, The Town Council has been reliably advised that the ARC Bridges of Lake County, located on Kennedy Avenue, and its clients and workshop participants performed as volunteers without remuneration, but did expend time, labor and creative process to support the Town of Highland's public parade; and,

Whereas, Under its authority of IC 36-1-3, The Town passed and adopted Section §33.03 of the Highland Municipal Code which provides in pertinent part that the Town Council is authorized to budget and appropriate funds from the general fund of the town to pay the expenses incurred in promoting the best interests of the town and that such expenses may include, but not necessarily be limited to those incurred in developing relations with other units of government or any other expenses of civic or governmental nature deemed by the Town Council to be in the interests of the Town; and

Whereas, The Town Council has reviewed the matter, and now desires to make findings and determinations related to these recommendations and requests and to favor the recommendation and request of the Community Events Commission,

Now Therefore Be it hereby Ordered by the Town Council of the Town of Highland, Lake County, Indiana;

Section 1. That ARC Bridges of Lake County, located on Kennedy Avenue in Highland, the clients and workshop participants of which participated in the most recent **Christmas Holiday Parade**, preparing the many goody bags distributed by Santa Claus, be paid an elective honorarium, in the amount of fifty dollars (\$50.00):

Section 2. That the Town Council hereby finds and determines that the forgoing activities and items of expense are lawful and proper expenses incurred in promoting the best interests of the Town as set forth in Section §33.03 of the Highland Municipal Code which reads as follows:

§ 33.03 AUTHORITY OF TOWN COUNCIL TO REIMBURSE TOWN OFFICIALS FOR
CERTAIN EXPENSES.

The Town Council is hereby authorized to budget and appropriate funds from the general fund of the town to pay the expenses of, and to reimburse, town officials for expenses incurred in promoting the best interests of the town. Such expenses may include, but not necessarily be limited to meals, decorations, memorabilia, awards, expenses incurred in interviewing job applicants, expenses incurred in promoting industrial, commercial, and residential development, expenses incurred in developing relations with other units of government, and any other expenses of civic or governmental nature deemed by the Town Council to be in the interests of the town.

Section 3. That the Town Council further finds and determines that the activities and expenses as described herein, while not paid from the Corporation General Fund, are uses and expenditures consistent with the purposes of the **Special Events Non Reverting Fund, when proper appropriations are accordingly approved;**

Section 4. That the Clerk-Treasurer is hereby authorized and instructed to prepare an accounts payable voucher against the appropriate fund and account for the benefit *ARC Bridges of Lake County, 9600 Kennedy Avenue, Highland, Indiana*, depicting the expense as an Honorarium or Stipend, in the amount herein fixed, and to take such other measures to carry-out the purposes and objects of this order.

Be it so ordered.

DULY, PASSED and ORDERED by the Town Council of the Town of Highland, Lake County, Indiana, acting as the Works Board, this 23rd day of December 2013 having passed by a vote of 5 in favor and 0 opposed.

**TOWN COUNCIL of the TOWN of
HIGHLAND, INDIANA**

Bernie Zemen, President (IC 36-5-2-10)

Attest:

Michael W. Griffin, IAMC/MMC/CPFA/CPFIM/CMO
Clerk-Treasurer (IC 33-16-4-1; IC 36-5-6-5)

10. Works Board Order No. 2013-68: An Order for the Temporary CLOSING of Municipal Building at the Municipal Building on Tuesday, December 31, 2013 for Year-end Fiscal and Records Administration Tasks

Councilor Herak moved the passage and adoption of Works Board Order No. 2013-68. Councilor Kuiper seconded. Upon a roll call vote, there were five affirmatives and no negatives. The motion passed. The order was adopted.

**The Town of Highland
Board of Works
Order of the Works Board No. 2013-68**

AN ORDER for the TEMPORARY CLOSING OF MUNICIPAL BUILDING at the MUNICIPAL BUILDING on TUESDAY, DECEMBER 31, 2013 FOR YEAR-END FISCAL AND RECORDS ADMINISTRATION TASKS

Whereas, The Town Council has been reliably advised that owing to the desire to ensure completion of several tasks associated with year-end fiscal and records administration, it may be advisable to reduce public access hours to the municipal building while maintaining a scheduled workday;

Whereas, Pursuant to IC 36-1-24(3), the Town Council is also the Works Board for the Town of Highland and governs the hours and other matters related to the Town Hall;

Whereas, The Town Council now desires to modify the access hours of the Highland Municipal Building on Tuesday, December 31, 2013;

Now Therefore be it hereby Ordered by the Town Council of the Town of Highland, Lake County, Indiana as follows:

Section 1. That the usual hours of **public access** at the administrative and associated offices (non-public safety) at the Highland Municipal Building on **Tuesday, December 31, 2013**, are hereby fixed at **8:30 a.m. to 12:30 p.m.** but the usual hours of operation or the scheduled workday are unchanged;

Section 2. That the affected department heads and the Clerk-Treasurer shall carry out the purposes of this order, which is to provide an opportunity for in-service training for administrative, clerical and other workers of the municipality;

Section 3. That the Clerk-Treasurer will take steps by appropriate media release to give notice of the subject of this order;

Section 4. That this order shall be effective on and from its passage and adoption body;

Be it so Ordered.

DULY, PASSED, ADOPTED and ORDERED by the Town Council of the Town of Highland, Lake County, Indiana, acting as the Works Board, this 23rd day of December 2013 having passed by a vote of 5 in favor and 0 opposed.

WORKS BOARD of the TOWN of
HIGHLAND, INDIANA

Bernie Zemen, President (IC 36-5-2-10)

Attest:

Michael W. Griffin, IAMC/MMC/CPFA/CPFIM/CMO
Clerk-Treasurer (IC 33-16-4-1; IC 36-5-6-5)

11. **Works Board Order No. 2013-69:** A Resolution Approving the 3300 block of Condit Street Improvement Project and Approving and Authorizing An agreement between Garcia Consulting and the Town of Highland to perform Preliminary Design Engineering and professional services in support Thereof in the Amount Not-to-Exceed \$23,000.

Councilor Herak moved the passage and adoption of Works Board Order No. 2013-69. Councilor Vassar seconded. Upon a roll call vote, there were five affirmatives and no negatives. The motion passed. The order was adopted.

THE TOWN of HIGHLAND
ORDER OF THE WORKS BOARD NO. 2013-69

A RESOLUTION APPROVING THE 3300 BLOCK OF CONDIT STREET IMPROVEMENT PROJECT AND APPROVING AND AUTHORIZING AN AGREEMENT BETWEEN GARCIA CONSULTING AND THE TOWN OF HIGHLAND TO PERFORM PRELIMINARY DESIGN ENGINEERING AND PROFESSIONAL SERVICES IN SUPPORT THEREOF IN THE AMOUNT NOT-TO-EXCEED \$23,000

Whereas, The Town of Highland, through its Town Council, which is the Works Board of the Municipality pursuant to I.C. 36-1-2-24(3), has received a request from the residents in the 3300 block of Condit Street requesting consideration to reconstruct the 3300 block of Condit Street; and

Whereas, Garcia Consulting has offered and presented an agreement to provide and **furnish preliminary or design engineering and professional** services in consideration for fees to be charged and billed monthly based upon a lump sum of the value of the engineering services completed, in an estimated fee of Thirteen Thousand Dollars (\$23,000); and

Whereas, There are sufficient and available appropriations balances on hand to support the payments under the agreement, pursuant to IC 5-22-17-3(e); and

Whereas, The Town of Highland, through its Town Council now desires to approve the project and to accept and approve the agreement for services as herein described.

Now Therefore Be it Resolved by the Town Council of the Town of Highland, Lake County, Indiana;

Section 1. That the Public Works Director is hereby authorized and approved to proceed with the reconstruction the 3300 block of Condit Street to be known as the 3300 Block of Condit Street Improvement Project;

Section 2. That the Professional Engineering and Design Services proposal, (incorporated by reference and made a part of this Order) between Garcia Consulting and the Town of Highland, is hereby approved, adopted and ratified in each and every respect;

Section 3. That the terms and charges under the agreement for preliminary design engineering services in the not to exceed fee amount of Thirteen Thousand Dollars (\$23,000.00) is found to be reasonable and fair;

Section 4. That the Town of Highland, through its Board of Works, believes that Garcia Consulting Engineers has demonstrated professional competence and qualifications to perform the particular professional engineering services called for in the Agreement and associated project, pursuant to I.C. 5-16-11.1-5;

Section 5. That the Director of Public Works be authorized to execute the Agreement with his signature as attested thereto by the Clerk-Treasurer.

Be it so Ordered.

DULY, PASSED, ADOPTED and ORDERED by the Town Council of the Town of Highland, Lake County, Indiana, acting as the Works Board, this 23rd day of December 2013 having passed by a vote of 5 in favor and 0 opposed.

WORKS BOARD of the TOWN of

HIGHLAND, INDIANA

Bernie Zemen, President (IC 36-5-2-10)

Attest:

Michael W. Griffin, IAMC/MMC/CPFA/CPFIM/CMO
Clerk-Treasurer (IC 33-16-4-1; IC 36-5-6-5)

12. **Works Board Order No. 2013-70:** An Order of the Works Board Accepting the Proposal of Alpine Amusement Company, Incorporated to Furnish, Present, and Operate Rides, Concessions, and Attractions Services for the Town of Highland, Associated with Annual Independence Day Festivities.

Councilor Herak moved the passage and adoption of Works Board Order No. 2013-70. Councilor Kuiper seconded. Upon a roll call vote, there were five affirmatives and no negatives. The motion passed. The order was adopted.

**Town of Highland
Board of Works
Order of the Works Board 2013-70**

AN ORDER OF THE WORKS BOARD ACCEPTING THE PROPOSAL OF ALPINE AMUSEMENT COMPANY, INCORPORATED TO FURNISH, PRESENT, AND OPERATE RIDES, CONCESSIONS, AND ATTRACTIONS SERVICES FOR THE TOWN OF HIGHLAND, ASSOCIATED WITH ANNUAL INDEPENDENCE DAY FESTIVITIES.

Whereas, The Town of Highland, as part of its exercise of public powers related to culture and recreation, generally conferred in IC 36-10-2, annually marks the anniversary of the Nation's declaration of Independence, with appropriate festivals;

Whereas, The Clerk-Treasurer, pursuant to Section 3.05.050 (D)(9) of the HMC, serves as the Purchasing Agent for any department or office for which an agent is not otherwise expressly provided, and for all executive departments of the municipality; and

Whereas, The Town Council as the Works Board, pursuant to Section 3.05.030 (A)(1) of the HMC, serves as the Purchasing Agent for any department or office for which an agent is not otherwise expressly provided, and for all executive departments of the municipality; and

Whereas, The *Alpine Amusement Company, Incorporated* of Naperville, Illinois has presented to the Community Events Commission a proposed agreement to *Furnish, Present, and Operate Rides, Concessions, and Attractions* services for the Town of Highland to be conducted during the annual Independence Day Festivals;

Whereas, The Community Events Commission favorably recommends to the purchasing agency, the approval of the proposed agreement for to *Furnish, Present, and Operate Rides, Concessions, and Attractions* services to the Town of Highland to be conducted on and around Independence Day, with for five days starting July 2nd and ending July 6th. 2014;

Whereas, The Community Events Commission further favorably recommends to the purchasing agency, the approval of the proposed agreement for to *Furnish, Present, and Operate Rides, Concessions, and Attractions* services to the Town of Highland to be conducted on and around Independence Day, with dates to be determined for the years 2015, 2016 and 2017;

Whereas, These professional services owing to their unique requirements and character, as a service, may be purchased in a manner that is determined to be reasonable, pursuant to Section 3.05.090 of the HMC and IC 5-22-6;

Whereas, The contact *involves a commitment for more than one year*, pursuant to Section 3.05.040 (C) of the HMC requires the express approval of the purchasing agency; and; and

Whereas, The purchase of services will be supported by the several funds of the Town and there is sufficient appropriation or resources in order to support the purchase of services; and

Whereas, The Town Council now desires to approve, authorize and allow the purchase of services pursuant to the terms stated herein,

Now Therefore Be it Ordered by the Town Council of the Town of Highland, Lake County, Indiana, acting as the Works Board, as follows:

Section 1. That the proposal *Furnish, Present, and Operate Rides, Concessions, and Attractions services of Alpine Amusement Company, Incorporated*, 2648 Wild Timothy Road, Naperville, Illinois, 60564, prepared and presented by its proper representative, which includes furnishing of services for particular dates to be determined, for 2014, 2015 and 2016, and 2017 according to the written terms set forth in the proposal, is hereby accepted, approved and adopted in every respect;

Section 2. That the payments of \$200 for each concession booth to be operated on the grounds and the payment of thirty percent (30%) of the gross receipts of monies derived from the sale of admission tickets for various attractions and rides is found to be reasonable and fair for the services and frequencies described;

Section 3. That the Town Council finds and determines that the manner of purchase for these professional services owing to their unique requirements and character as a service, is both reasonable and appropriate, pursuant to Section 3.05.090 of the HMC and IC 5-22-6;

Section 4. That the Clerk-Treasurer is hereby authorized to issue a purchase order, if applicable, to **Alpine Amusement Company, Incorporated** and to execute all documents necessary to implement the purchase of services thereof;

Section 5. That the proper officers of the municipality are hereby authorized to identify the several funds of the municipality that may be lawfully expended in order to support and implement the purchase of these services.

Be it so Ordered.

DULY, PASSED and ORDERED by the Town Council of the Town of Highland, Lake County, Indiana, acting as the Works Board, this 23rd day of December 2013 having passed by a vote of 5 in favor and 0 opposed.

**TOWN COUNCIL of the TOWN of
HIGHLAND, INDIANA**

Bernie Zemen, President (IC 36-5-2-10)

Attest:

Michael W. Griffin, IAMC/MMC/CPFA/CPFIM/CMO
Clerk-Treasurer (IC 33-16-4-1; IC 36-5-6-5)

13. Works Board Order No. 2013-71: An Order Authorizing and Approving An agreement between CBL Consulting, Incorporated and the Town of Highland to perform Professional Information Technology services for the Municipality.

Councilor Kuiper moved the passage and adoption of Works Board Order No. 2013-71. Councilor Vassar seconded.

Amendment. Councilor Herak moved to amend the order to confine the terms of the agreement to one year, and to limit the increase to 3% additional from the current contract amount. Councilor Adams seconded. Upon a roll call vote, there were three negatives and two affirmatives. With Councilors Vassar, Kuiper and Zemen voting in the negative and Councilors Herak and Adams voting in the affirmative, the motion to amend was not adopted.

On the motion to adopt, there was a roll call vote. There were three affirmatives and two negatives. With Councilors Vassar, Kuiper and Zemen voting in the affirmative and Councilors Herak and Adams voting in the negative, the motion passed. The order was adopted.

**The Town of Highland
Board of Works
Order of the Works Board No. 2013-71**

An Order Authorizing and Approving An agreement between CBL Consulting, Incorporated and the Town of Highland to perform Professional Information Technology services for the Municipality

Whereas, The Town of Highland, through its Town Council, which is the Works Board of the Municipality has heretofore determined that a need exists to provide information technology support services throughout the Town;

Whereas, The Town has heretofore determined that a need exists to engage professional information technology services associated with support of the several software applications and certain hardware used by the several departments of the Town; and

Whereas, CBL Consulting, Inc, an information technology firm, has consented to provide professional services related to certain support needs related to the information technology of the several departments of the municipality; and

Whereas, As purchasing agency, the Town Council may purchase services using any procedure it considers appropriate, pursuant to IC 5-22-6-1 and Section 3.05.090 of the Municipal Code; and

Whereas, There are sufficient and available appropriations balances on hand to support the payments for these services under the agreement, pursuant to IC 5-22-17-3(e); and

Whereas, The Town of Highland, through its Town Council now desires to accept and approve the agreement for services as herein described,

Now Therefore be it Ordered by the Town Council of the Town of Highland, Lake County, Indiana:

Section 1. That the letter proposal serving as an agreement (incorporated by reference and made a part of this Order) between CBL Consulting Incorporated, and the Town of Highland, to provide professional information technology support services for the period beginning *1 January 2014 through to 31 December 2015* as described in the letter proposal is hereby approved, adopted and ratified in each and every respect;

Section 2. That the charges under the agreement for the services, which include functioning as the Town of Highland information technology director by performing routine and necessary maintenance on equipment identified in the letter proposal, perform data protection services for the town information work product, providing technical consulting, and other related service are found to be reasonable, all pursuant to IC 5-22-6-1 and Section 3.05.090 of the Municipal Code;

Section 3. That the charges under the terms of the agreement for all the services, will be paid as a monthly fee to CBL Consulting, Inc., in the following monthly amounts:

- (A) For the period January 2014 through December 2014, the monthly charge for services is fixed at Three thousand, one hundred dollars (\$3,650), a 4.28% increase over the current monthly fee;
- (B) For the period January 2015 through December 2015, the monthly charge for services is fixed at Three thousand, five hundred dollars (\$3,800), a 4.10% increase over the 2014 monthly fee;

Section 4. That the executive departments of municipality may use the services according to the terms of the agreement;

Section 5. That the Town Council President be authorized to execute any agreement under the terms of this order with his signature as attested thereto by the Clerk-Treasurer.

Be it so Ordered.

DULY, PASSED, ADOPTED and ORDERED by the Town Council of the Town of Highland, Lake County, Indiana, acting as the Works Board, this 23rd day of December 2013 having passed by a vote of 3 in favor and 2 opposed.

**WORKS BOARD of the TOWN of
HIGHLAND, INDIANA**

Bernie Zemen, President (IC 36-5-2-10)

Attest:

Michael W. Griffin, IAMC/MMC/CPFA/CPFIM/CMO
Clerk-Treasurer (IC 33-16-4-1; IC 36-5-6-5)

14. Works Board Order No. 2013-72: An Order Authorizing and Approving An agreement between The Idea Factory and the Town of Highland to perform Professional Communications and Media Design and Development services for the Municipality.

Councilor Vassar moved the passage and adoption of Works Board Order No. 2013-72. Councilor Adams seconded. Upon a roll call vote, there were five affirmatives and no negatives. The motion passed. The order was adopted.

The Town of Highland
Board of Works
Order of the Works Board No. 2013-72

AN ORDER AUTHORIZING AND APPROVING AN AGREEMENT BETWEEN THE IDEA FACTORY AND THE TOWN OF HIGHLAND TO PERFORM PROFESSIONAL COMMUNICATIONS AND MEDIA DESIGN AND DEVELOPMENT SERVICES FOR THE MUNICIPALITY

Whereas, The Town of Highland, through its Town Council, which is the Works Board of the Municipality has heretofore determined that a need exists to provide greater information to the public regarding the operations and services of the municipality;

Whereas, The Town has heretofore determined that a need exists to engage professional communications and media design and development services to assist and support the provision of greater information to the public regarding the operations and services of the municipality;

Whereas, Robin A. Carlascio and Theresa K. Badovich, d.b.a The Idea Factory, a media development and design, communication consulting alliance, has proposed to provide professional editorial services to assist and support the provision of greater information to the public regarding the operations and services of the municipality through the development and promulgation of a municipal newsletter;

Whereas, As purchasing agency, the Town Council may purchase services using any procedure it considers appropriate, pursuant to IC 5-22-6-1; and

Whereas, The Highland Municipal Code provides that, the Town Council may make all contracts for professional services on the basis of competence and qualifications for the type of services to be performed, and negotiate compensation that the public agency determines to be reasonable, pursuant to Section 3.05.090; and

Whereas, There are now or will soon be sufficient and available appropriations balances on hand to support the payments for these services under the agreement, pursuant to IC 5-22-17-3(e); and

Whereas, The Town of Highland, through its Town Council acting as the Works Board now desires to accept and approve the agreement for services as herein described.

Now Therefore be it Ordered by the Town Council of the Town of Highland, Lake County, Indiana;

Section 1. That the agreement (incorporated by reference and made a part of this Order) between **Robin A. Carlascio** and **Theresa K. Badovich** doing business as the **Idea Factory**, and the Town of Highland, provide professional editorial services to assist and support the provision of greater information to the public regarding the operations and services of the municipality through the development and promulgation of a municipal newsletter for the period beginning **1 January 2014 through to 31 December 2014** as described herein is hereby approved, adopted and ratified in each and every respect;

Section 2. That the charges under the agreement for the services, in the amount of **\$1,500 per issue**, which include publishing and coordinate a monthly newsletter to be distributed as an insert in the monthly utility invoice, and other related services are found to be reasonable and fair, all pursuant to IC 5-22-6-1 and Section 3.05.090 of the municipal code;

Section 3. That the charges under the terms of the agreement for all the services, will be paid to **The Idea Factory**, after presentation of an invoice for services, following their delivery;

Section 4. That the Town Council President be authorized to execute this agreement under the terms of this order with his signature as attested thereto by the Clerk-Treasurer;

Section 5. That the Town Council President must approve a preliminary edition of the newsletter at least two weeks prior to publication.

Be it so Ordered.

DULY, PASSED, ADOPTED and ORDERED by the Town Council of the Town of Highland, Lake County, Indiana, acting as the Works Board, this 23rd day of December 2013 having passed by a vote of 5 in favor and 0 opposed.

**WORKS BOARD of the TOWN of
HIGHLAND, INDIANA**

Bernie Zemen, President (IC 36-5-2-10)

Attest:

Michael W. Griffin, IAMC/MMC/CPFA/CPFIM/CMO
Clerk-Treasurer (IC 33-16-4-1; IC 36-5-6-5)

AGREEMENT

This Agreement made and entered into this ____ day of January 2014, by and between the **TOWN OF HIGHLAND, BY AND THROUGH ITS TOWN COUNCIL** (hereinafter referred to as the "Town"), and **ROBIN CARLASCIO and THERESA BADOVICH d/b/a THE IDEA FACTORY** (hereinafter referred to as "Idea Factory").

WITNESSETH THAT:

WHEREAS, The Town is interested engaging the services of Idea Factory for publishing and coordinating a monthly newsletter (Gazebo Express) to be distributed throughout the Town; and

WHEREAS, Idea Factory is interested in entering into such an agreement and engaging its services to publish and coordinate a monthly newsletter within the Town; and

WHEREAS, The parties wish to reduce their agreement to writing;

NOW, THEREFORE, in consideration of the mutual promises and covenants contained herein, it is agreed as follows:

1. Idea Factory agrees to publish and coordinate a monthly newsletter (Gazebo Express) to be distributed in the Town of Highland.

2. The term of this Agreement shall be for one (1) year beginning January 1, 2014, through December 31, 2014. This Agreement may be renewed by the Town of Highland from year to year based upon approval of the renewal term by the Town at the beginning of each fiscal year.

3. Idea Factory shall be paid for its services rendered pursuant to this Agreement, the sum of \$1,500.00 per issue and the monthly fees shall be payable to The Idea Factory at 2733 – 40th Street, Highland, IN 46322.

4. This Agreement may be cancelled by either party upon such party providing the other party thirty (30) days written notice.

5. In the event the Town's appropriations are insufficient to pay the expenses of this Agreement, and upon thirty (30) days written notice being given by the Town to Idea Factory, this Agreement shall become null and void.

6. This Agreement shall be governed by the laws of the State of Indiana and shall be binding upon the parties' heirs, legal representatives, successors, and assigns.

7. That the Town Council President must approve a preliminary edition of the newsletter at least two weeks prior to publication.

IN WITNESS WHEREOF, this Agreement has been entered into between the parties this ____ day _____ 20__.

TOWN OF HIGHLAND

THE IDEA FACTORY

By: _____
Bernie Zemen, President

Robin Carlascio

Attest: _____
Michael W. Griffin, Clerk-Treasurer

Theresa Badovich

15. Action on Property, Commercial and other non-health insurance lines for the Town of Highland for FY 201\$ as presented by Crowel Insurance Agency. Crowel Insurance Agency, 8244 Kennedy Avenue, Highland, Indiana, has proposed a total cost of **\$230,419**, representing \$51,652 for property, \$87,035 for Automobile liability and \$91,732 for Commercial, Fleet and Professional practices liability. The prior year premium was \$226,791. The current increase is 1.6%

Councilor Kuiper moved to accept the proposal and approve the agreement for the Insurance lines as proposed by Crowel Agency, Inc. Councilor Vassar seconded. Upon a roll call vote, there were five affirmatives and no negatives. The motion passed. The proposal was approved.

16. Action to Accept and Approve the Recommendation of the Construction Engineer for Partial Release and Payment of Contract Retainage in the Amount of \$21,770.55 to Rex Construction for work associated with the 3200 Block of Condit Reconstruction Project.

Councilor Herak moved to accept and approve the recommendation of the construction engineer and to authorize the partial release of retainage in the amount described. Councilor Adams seconded. Upon a roll call vote, there were five affirmatives and no negatives. The motion passed. The retainage was authorized for release.

17. Town Council Action to Express Disapproval for the Sponsorship of an airshow at Fair Oaks Farms in Newton County by the South Shore Convention and Visitors Authority.

Councilor Adams moved that the Town Council memorialize its disapproval of the use of Innkeeper Tax Funds by the South Shore Visitors and Convention Authority (Lake County Visitors and Convention Bureau) for the support or sponsorship of an Air Show in Newton County at the Fair Oaks Farms. Councilor Herak seconded. Upon a roll call vote, there were five affirmatives and no negatives. The motion passed. The disapproval is memorialized.

18. **Proposed Ordinance No. 1548:** An Ordinance To Amend Chapter 12.10 Of The Highland Municipal Code, By Its Repeal And Replacement With A New Chapter 12.10 To Make The Current Code Align With The Provisions of IC 36-9-25 .

Councilor Herak introduced proposed Ordinance No. 1548 and moved its consideration at the same meeting of its introduction. Councilor Kuiper seconded. Upon a roll call vote, a unanimous vote being necessary, there were five affirmatives and no negatives. The motion passed. The ordinance could be considered at the same meeting of its introduction.

Councilor Herak moved to adopt Ordinance No. 1548 at the same meeting of its introduction. Councilor Adams seconded. Upon a roll call vote, a two-thirds vote being necessary, there were five affirmatives and no negatives. The motion passed. The ordinance was adopted at the same meeting of its introduction.

**ORDINANCE NO. 1548
TOWN OF HIGHLAND**

AN ORDINANCE TO AMEND CHAPTER 12.10 OF THE HIGHLAND MUNICIPAL CODE, BY ITS REPEAL AND REPLACEMENT WITH A NEW CHAPTER 12.10 TO MAKE THE CURRENT CODE ALIGN WITH THE PROVISIONS OF IC 36-9-25 .

WHEREAS, The Sanitary District of Highland is governed by its Board of Sanitary Commissioners, pursuant to the provisions of IC 36-9-25 et seq; and

WHEREAS, IC 36-9-25-9 specifically provides that the Board of Sanitary Commissioners shall manage and control all works of the district and may purchase, acquire, construct, reconstruct, operate, repair and maintain all sewage works; and

WHEREAS, The Legislative Body on July 21, 1969 did establish a Department of Public Sanitation and Sanitary District by passage and adoption of Ordinance No. 586 of the Town;

WHEREAS, The provisions of that ordinance and its amendments is currently captured and codified as Chapter 12.10 of the Highland Municipal Code;

WHEREAS, After review of its provisions, it has been determined that the language is not aligned or consistent with the provisions of the current enabling law for Departments of Public Sanitation and Sanitary Districts; and,

WHEREAS, The Town Council desires to repeal Chapter 12.10 in its entirety and amend it with a new chapter to be styled as Chapter 12.10, in order to more fully perfect the structure of the municipal government and to update the language of the Code to better align it with the current provisions of IC 36-9-25,

Therefore, Now Be it Hereby Ordained by the Town Council of the Town of Highland, Lake County, Indiana as follows:

Section 1. That Chapter 12.10 of the Highland Municipal Code is hereby repealed and has no further force nor effect;

Section 2. That the Highland Municipal Code is hereby amended by replacing the repealed chapter with a new Chapter to be numbered 12.10 comprised of sections 12.10.010 through 12.10.100, which shall read as follows:

**Chapter 12.10
DEPARTMENT OF PUBLIC SANITATION AND SANITARY DISTRICT**

12.10.010 Department Established

(A) That the Department of Public Sanitation is established as an executive department in and for the Town of Highland, as authorized in IC 36-9-25-1(a) and the provisions of IC 36-9-25 et sequitur, as amended from time to time, are hereby adopted and made effective upon the Town of Highland and the operation of the Department;

(B) As used in this chapter: "Board" refers to a board of sanitary commissioners, "Department" refers to a department of public sanitation "District" means the area within the jurisdiction of the Highland Department of Public Sanitation.

(C) That all the territory included within the corporate boundaries of the municipality constitutes a special taxing district for the purpose of providing for the sanitary disposal of the sewage of the district in a manner that protects the public health and prevents the undue pollution of watercourses of the district.

(D) The department is under the control of a board of sanitary commissioners, which consists of five (5) commissioners. All of the commissioners shall be appointed by the Town Council President as municipal executive. *The terms shall be staggered, with no more than two (2) commissioners subject to appointment or reappointment in any year. Not more than three (3) may be of the same political party. There shall be a commissioner position with a term commencing on January 1, 2013, a commissioner position with a term commencing on January 1, 2014, a commissioner position term commencing on January 1, 2015 and two commissioner positions term commencing on January 1, 2017. The terms shall continue for four years and until a successor is appointed and qualified, subject to provisions set forth in Section 12.10.020 of this Code and IC 36-1-8-10(c).*

(E) Before beginning the commissioner's duties, each commissioner shall take and subscribe the usual oath of office. The oath shall be endorsed upon the certificate of appointment and filed with the municipal clerk.

(F) Each commissioner shall also execute a bond in the penal sum of five thousand dollars (\$5,000) payable to the state and conditioned upon the faithful performance of the commissioner's duties and the faithful accounting for all money and property that comes under the commissioner's control. The bond must be approved by the municipal executive.

(G) The appointed commissioners are entitled to a salary of not less than three thousand six hundred dollars (\$3,600) a year during actual construction and not less than six hundred dollars (\$600) a year in other years.

(H) Notwithstanding IC 36-1-8-10, in determining the political party of a member consistent with the limitation of the number of members being from the same political party set forth in Section **12.10.010 (D)** at the time of appointment the appointee must:

(1) have voted in the two (2) most recent primary elections held by the party with which the appointee claims affiliation; or

(2) if the appointee did not vote in the two (2) most recent primary elections or only voted in one (1) of those elections, be certified as a member of the party with which the appointee claims affiliation by that party's county chairman for the county in which the appointee resides.

12.10.020 Terms Of Office; Vacancies; Removal

(A) Commissioners serve for a term of four (4) years. If a vacancy occurs on the board, the Town Council President as municipal executive shall appoint a commissioner for the remainder of the term within thirty (30) days after the vacancy occurs.

(B) A commissioner may not be removed from office except upon charges preferred before the Town Council President as municipal executive and a hearing held on them. The only permissible reasons for removal are neglect of duty and incompetence. The commissioner must be given at least ten (10) days' notice of the time and place of the hearing and the opportunity to produce evidence and examine and cross-examine

witnesses. All testimony shall be given under oath. The Town Council President as municipal executive shall put his findings in writing and file them with the Clerk-Treasurer.

(C) If the charges are sustained and the commissioner removed, he or she may appeal the findings within ten (10) days after the date they are filed with the clerk to the circuit or superior court of the county in which the municipality is located. The commissioner shall file an original complaint against the executive, stating the charges preferred and the findings made. The court shall hear the appeal within thirty (30) days after it is filed without a jury and shall either ratify or reverse the finding of the executive. The judgment of the court is final and an appeal may not be taken.

§ 12.10.030 Officers And Quorum

(A) The board shall choose one (1) of its members to be president and another to be vice president, who shall perform the usual duties of those offices. The officers serve for a period of one (1) year or until their successors are elected and qualified.

(B) The municipal fiscal officer shall perform the same duties with the funds and accounts of the board as with the funds and accounts of the other executive departments of the municipality, except as otherwise provided in IC 36-9-25. The fiscal officer receives no additional compensation for performing these duties. *However, a share of the compensation fixed for the fiscal officer by the legislative body may be paid from funds of the department.*

(C) A majority of the members of the board constitutes a quorum, and the concurrence of a majority is necessary for any action of the board. The board shall hold regular meetings at the times it fixes and may call special meetings at the times and upon the notice that it fixes by rule or resolution. All meetings must be open to the public.

(D) The board may adopt the rules that it considers necessary to conduct its meetings and business and to control and manage the property under its jurisdiction.

12.10.040 Jurisdiction And Powers Of The Board

(A) The board shall manage and control all sewage works of the district. The board has concurrent power with the works board of the municipality to construct, reconstruct, maintain, repair, and regulate the use of all connecting and intercepting sewers. The board shall collect and remove garbage, ashes, and other waste materials to prevent the pollution of watercourses within the district and to protect the public health. The board may purchase, acquire, construct, reconstruct, operate, repair, and maintain all sewage works. In so doing, it shall operate according to the provisions of IC 36-9-25 as amended from time to time.

(B) In performing its duties the board may do the following:

(1) If needed for sewage works, condemn, appropriate, lease, rent, purchase, and hold any real or personal property within the district or within five (5) miles outside the boundaries of the district.

(2) Enter upon any lots or lands for the purpose of surveying or examining them to determine the location of any sewage works or other structures, roads, levees, or walls connected with or necessary for the use or operation of the facilities.

(3) Design, order, contract for, construct, reconstruct, and maintain the sewage works.

(4) Build or have built all roads, levees, walls, other structures, or lagoons that may be desirable in connection with sewage works and make improvements to the grounds and premises under its control, including the erection and operation of a plant for the removal of sand and gravel from the grounds.

(5) Compel the owners, operators, or lessees of all factories, shops, works, plants, or other structures to treat, purify, or eliminate from the sewage and trade waste of the premises any ingredients that interfere with the successful operation of the sewage works. It may compel the owners, operators, or lessees of the premises located on a watercourse to direct an excessive flow of water into the watercourse.

(6) Review and approve plans for privately constructed plants for the treatment or elimination of trade waste. This is to insure that an owner, operator, or lessee of a house, factory, shop, works, plant, or other structure that may be directly or indirectly connected with sewers emptying into the sewage works does not construct a purification plant, machine, or other device for eliminating or treating the trade waste from those places for the purpose of eliminating ingredients that would harm the sewage works until the plans have been submitted to and approved by the board. After plans have been submitted to the board, it may reject them in their entirety or order changes to be made that include its supervision and regulation of the operation. An appeal may be taken from the decision of the board rejecting the plans submitted or ordering changes by the owner, operator, or lessee of a proposed private plant, in the same manner as appeals from the works board as far as applicable.

(7) Build or have built a plant or plants and all appurtenances for the treatment of sludge, pressing of sludge, or converting sludge into marketable fertilizer.

(8) Sell any byproduct from the sewage works, or furnish any byproduct free for the use of the municipality or for other public uses, with revenue derived from the sale above the amount needed for

maintenance to be paid into the sanitary district bond fund, or if no bonds are outstanding, to revert to its (special sanitary district operating fund) general fund.

(9) Compel the owners, lessees, or agents in possession of lots or land from which sewers discharge sewage or drainage and pollute a watercourse or body of water or constitute a menace to public health and welfare to connect the sewers with drains leading directly or indirectly into sewage works regulating the use and assessing reasonable charges.

(10) Construct or have constructed regulating devices at the junction of combined sewers with intercepting sewers to regulate the discharge into the intercepting and connecting sewers to prevent the pollution of streams or bodies of water or a menace to the public health and welfare.

(11) Construct, add to, reconstruct, or maintain an incinerating or reduction plant or other plants for the conversion, destruction, or disposal of garbage, filth, ashes, dirt, and rubbish. The board may operate the plant in connection with sewage works, and sell any byproducts derived from the garbage, filth, ashes, or rubbish, including sand and gravel taken from lands under the control of the board at prices that are determined by the board, or furnish it free to the municipality or for other public uses, with revenue derived above the amount needed for maintenance to be paid into the sanitary district bond fund, or if no bonds are outstanding, to revert to its general fund.

(12) Take charge of all real property, belonging to the municipality and under the control of the works board, suitably located for sewage works if the board demands the works board, subject to contracts, to relinquish and transfer control of real and personal property used by the works board for the collection and removal of garbage and ashes. The transfer of personal property must be made by resolution adopted by the works board describing the property, with a copy of the resolution to be delivered to the board and made a matter of record in the minutes of the proceedings of the board.

(13) Collect and remove, or contract for the collection and removal of, all garbage, ashes, dead animals, refuse, and wastes from domestic premises, and construct or have constructed stations, including barns, garages, sheds, blacksmith shops, dumps, incinerators, and all other useful or necessary improvements for this purpose. This includes the power to collect and remove soil and other sewage in areas not provided with sewers, and then to discharge or dispose of it into sewage works.

(14) Enter into contracts in the name of the municipality, with the approval of the executive as provided by law.

(15) Employ and pay for all engineering, architectural, legal, and other professional services needed in carrying out this chapter, including determining the number, prescribing the duties, and fixing the compensation for all its engineers, chemists, attorneys, bacteriologists, surveyors, inspectors, clerks, stenographers, laborers, supervisors, and other employees as provided by law for other executive departments of the municipality.

(16) Adopt resolutions, rules, and bylaws that are necessary to carry out this chapter, including repealing or amending them consistent with this chapter.

(17) Prepare a schedule of reasonable service fees and collect them from persons who own, lease, or possess or control as tenants or as agents lots or lands located outside the boundaries of the district if the lots or lands are benefited by connection into the sanitary sewer system of the district, with the proceeds from sewage connections and treatment service credited to the general fund of the district for general use and maintenance purposes. The fees may be fixed, repealed, or amended, or the service discontinued, by the board at its discretion.

(18) Sue or be sued in the name of the municipality, with payment for obligations and of a judgment against the municipality in an action to be made solely from funds of the department and its district that may be available for this purpose.

(19) Pay for services rendered or for any other obligations incurred by the board while executing its powers, or pay any judgments, including interest and costs, by issuing and selling the bonds of the district, or obtaining temporary loans or levying taxes as authorized by this or other statutes for any other purpose.

(20) Lease, rent, purchase, and hold real or personal property more than five (5) miles outside the boundaries of the district if the property is needed to store sludge or to convert sludge into marketable fertilizer or to conduct activities that are related to those activities.

(21) Levy a special ad valorem tax for general expenses and operating purposes, pursuant to IC 36-9-25, sections 19 and 32.

(22) Issue special taxing district bonds in the name of the municipality, which shall constitute an indebtedness of the sanitary district as a special taxing district, payable out of a special tax levied upon the property of the district, as provided by IC 36-9-25, sections 27 and 29.

(23) Provide financial assistance to property owners to construct or install regulating devices, improvements or overhead plumbing or backflow prevention devices, all subject to the provisions of IC 36-9-25-42.

12.10.050 Fees; Establishment; Modification; Collection

(A) In connection with its duties, the board may fix fees for the treatment and disposal of sewage and other waste discharged into the sewerage system, collect the fees, and establish and enforce rules governing the furnishing of and payment for sewage treatment and disposal service. The fees must be just and equitable and shall be paid by any user of the sewage works and the owner of every lot, parcel of real property, or building that is connected with and uses the sewage works of the district by or through any part of the sewerage system. This section applies to owners of property that is partially or wholly exempt from taxation, as well as owners of property subject to full taxation.

(B) The board may change fees from time to time. The fees, together with the taxes levied under this chapter, must at all times be sufficient to produce revenues sufficient to pay operation, maintenance, and administrative expenses, to pay the principal and interest on bonds as they become due and payable, and to provide money for the revolving fund authorized by this chapter.

(C) Fees may not be established until a public hearing has been held at which all the users of the sewage works and owners of property served or to be served by the works, including interested parties, have had an opportunity to be heard concerning the proposed fees. After introduction of the resolution fixing fees, and before they are finally adopted, notice of the hearing setting forth the proposed schedule of fees shall be given by publication in accordance with IC 5-3-1. After the hearing the resolution establishing fees, either as originally introduced or as amended, shall be passed and put into effect. However, **fees related to property that is subject to full taxation do not take effect until they have been approved by ordinance of the municipal legislative body;**

(D) A copy of the schedule of the fees shall be kept on file in the office of the board and must be open to inspection by all interested parties. The fees established for any class of users or property served shall be extended to cover any additional premises thereafter served that fall within the same class, without the necessity of hearing or notice.

(E) A change of fees may be made in the same manner as fees were originally established. However, if a change is made substantially *pro rata* for all classes of service, hearing or notice is not required, but approval of the change by ordinance of the municipal legislative body is required.

(F) If a fee established is not paid within thirty (30) days after it is due, the amount, together with a penalty of ten percent (10%) and a reasonable attorney's fee, may be recovered by the board from the delinquent user or owner of the property served in a civil action in the name of the municipality.

(G) Fees assessed against real property under this section also constitute a lien against the property assessed. The lien attaches at the time of the filing of the notice of lien in the county recorder's office. The lien is superior to all other liens except tax liens, and shall be enforced and foreclosed in the same manner as is provided for liens under IC 36-9-23-33 and IC 36-9-23-34.

(H) A fee assessed against real property under this section constitutes a lien against the property assessed only when the fee is delinquent for no more *than three (3) years from the day after the fee is due*.

(I) In addition to the penalties under subsections (F) and (G) and section §12.10.07 of this chapter, a delinquent user may not discharge water into the public sewers and may have the property disconnected from the public sewers.

(J) The authority to establish a user fee under this section includes fees to recover the cost of construction of sewage works from industrial users as defined and required under federal statute or rule. Any industrial users' cost recovery fees may become a lien upon the real property and shall be collected in the manner provided by law. In addition, the imposition of the fees, the use of the amounts collected, and the criteria for the fees must be consistent with the regulations of the federal Environmental Protection Agency. *It also includes fees to recover costs associated with storm water and solid waste management.*

12.10.060 Fees; Notice Of Delinquency

If a fee established under Section 12.10.050 of this chapter, governing fees fixed under Chapters 12.15, 12.20 and 12.25 of this Code, is not paid within thirty (30) days after it is due, a copy of any notice of delinquency sent to a delinquent user who is a tenant must be sent to the owner of the property occupied by the tenant at the latest address of the owner as shown on the property tax records of the county in which the property is located.

12.10.080 Certain Overdue User Fees

After sending the notices set forth under this chapter, an account has a balance overdue for 90 or more days and the balance of fees with penalties does not exceed twenty five dollars (\$25), then the overdue fees and penalties may be expensed as bad debt by the billing authority, without prior notification to the Board of Sanitary Commissioners and the procedures set forth in Section 12.10.050 (G), IC 36-9-23-33 and IC 36-9-23-34 need not be undertaken, pursuant to IC 36-9-25-11.7.

12.10.090 BASIS OF FEES FIXED BY THE BOARD

(A) The fees for the treatment and disposal of sewage may be based on:

- (1) a flat charge for each sewer connection;
- (2) the amount of water used on the premises;

- (3) the number and size of water outlets on the premises;
- (4) the amount, strength, or character of sewage discharged into the sewers;
- (5) the size of sewer connections; or
- (6) any combination of these factors or other factors that the board determines necessary in order to establish just and equitable rates and charges.

(B) The municipal water utility will cooperate with the Board of Sanitary Commissioners by providing water consumption data when necessary in the computation of the sewage services invoices and include invoicing data for users or property receiving sewage services in invoices of the water utility billed to each user of or property served;
or property served;

(C) If a person owns or occupies real property that is connected to the sewage works and either directly or indirectly uses water obtained from a source other than the municipal water utility that is not measured by a water meter acceptable to the board, then the board may require the person, at his own expense, to furnish, install, and maintain a water or sewage measuring device acceptable to the board.

12.10.090 REGULATORY AUTHORITY OVER CHEMICALS and WASTE STRENGTH DETRIMENTAL TO SEWAGE WORKS

(A) The board, in the name of the municipality, may bring an action to recover damages for (1) the breach of an agreement, express or implied, relating to the construction, management, or repair of sewage works under its control, including real property; or (2) injury to the personal or real property used in the sanitary disposal of sewage in a municipality located within the district.

(B) The board may recover possession of property, may bring an action for the specific performance of an agreement, and may use, in the name of the municipality, any legal or equitable remedy necessary to protect and enforce the rights and perform the duties of the department.

(C) The board may establish limits on the kinds or amounts of chemicals and the strength of the waste or other substances the board considers detrimental to the sewage works. If a person discharges sewage into the sewage works that exceeds limits set by the board, the board may order the person to cease using the sewage works upon a hearing with notice. However, if evidence indicates a public health hazard is being created, the board may summarily order the person to cease without notice or hearing. Orders of the board may be enforced by bringing an action to enjoin discharges into the sewer works in any court in Lake County having jurisdiction to hear equity actions. A person aggrieved by an order of the board is entitled to appeal the order to the Lake Circuit or Lake Superior Court. If an order is given without notice, an appeal must be perfected within ten (10) days after receipt of the order or the right to appeal is considered waived.

12.10.100 Disposition of All funds of the Department of Public Sanitation and sanitary district

(A) All money remaining in a fund to the credit of the board at the end of the calendar year belongs to the fund for use by the board for the purposes for which the fund was created. In addition, all money raised under this chapter shall be deposited at interest with the depository of other public funds of the municipality, with all interest collected on the fund belonging to the fund.

(B) Notwithstanding the provisions of any other statute, money collected for or belonging to a sanitary district belongs to the sanitary district, and not to any civil town in the sanitary district. This money shall be deposited in an interest bearing account, and all interest earned from this deposit shall belong to the sanitary district. If no statutory provision exists to require the crediting or deposit of this interest to a specific fund of the sanitary district, the interest shall be deposited in the sanitary district's sanitary special operating fund.

(C) Notwithstanding subsections (A) through (B), money may be transferred from the fund as provided in IC 36-1-8-4.

(D) Pursuant to IC 36-9-25-34, all revenues derived from the collection of fees for sewage treatment shall be construed to have become a part of the sanitary maintenance and general expense fund established under IC 36-9-25-32. However, user charges collected for wastewater, and stormwater treatment shall be deposited and held in the sewage operating fund, except any part that the board sets aside in the sanitary district bond fund established under IC 36-9-25-29 or the sinking fund established under IC 36-9-25-41. User charges collected for solid waste management services shall be deposited and held in the special sanitary district operating fund, except any part that the board sets aside in the sanitary district bond fund established under IC 36-9-25-29.

(E) The board may appropriate and set aside from the sanitary maintenance and general expense (sanitary special operating) fund an amount of money to be used as a revolving fund for the payment of necessary preliminary expenses incurred by the board in connection with proposed projects, such as making surveys, estimating cost, employing engineers and other employees, preparing plans and specifications, and all other expenses to be paid before the issuance and sale of bonds under IC 36-9-25-27.

(F) The revolving fund shall be fully repaid by the board out of the first proceeds of the sale of bonds to the extent that the expenses paid are chargeable to the cost of acquiring land or construction under a resolution adopted and confirmed under section 18 of this chapter. The appropriations to the revolving fund shall be made in accordance with statutes governing appropriations by municipal corporations, but it is not necessary to appropriate the money set aside in the revolving fund before making expenditures from it.

(G) Money raised under this chapter may be expended only upon warrants drawn by the municipal fiscal officer upon vouchers of the board. *An appropriation is not necessary*, but all money raised under this chapter is considered appropriated to the respective purposes stated and is under the control of the board. The board has complete and exclusive authority to expend the money for the purposes provided, all pursuant to IC 36-9-25-37.

(H) If the legislative body repeals this chapter and dissolves the Department created under this Chapter, all funds shall be transferred to the control of the Town Council, subject to Indiana law.

Section 3. Whereas an emergency exists for the immediate taking effect of this ordinance, these provisions amending the municipal code shall become and be in full force and effect from and after the date of its passage and adoption evidenced by the executive's signature in the manner prescribed by IC 36-5-2-10(a).

Introduced and Filed on the 23rd day of December 2013. Consideration on same evening of introduction attained a vote of 5 in favor and 0 opposed, pursuant to IC 36-5-2-9.8.

DULY ORDAINED AND ADOPTED this 23rd Day of December 2013, by the Town Council of the Town of Highland, Lake County, Indiana, having been passed by a vote of 5 in favor and 0 opposed.

**TOWN COUNCIL of the TOWN of
HIGHLAND, INDIANA**

/s/Bernie Zemen, President (IC 36-5-2-10)

Attest:

/s/Michael W. Griffin, IAMC/MMC/CPFA/CPFIM/CMO
Clerk-Treasurer (IC 33-16-4-1;IC 36-5-6-5)

19. Proposed Ordinance No. 1549: An Ordinance to Fix the Wages and Salaries for the Officers and Employees of the Town of Highland for FY 2014.

Councilor Herak introduced proposed Ordinance No. 1549 and moved its consideration at the same meeting of its introduction. Councilor Kuiper seconded. Upon a roll call vote, a unanimous vote being necessary, there were five affirmatives and no negatives. The motion passed. The ordinance could be considered at the same meeting of its introduction.

Councilor Kuiper moved to adopt Ordinance No. 1549 at the same meeting of its introduction. Councilor Adams seconded. Upon a roll call vote, a two-thirds vote being necessary, there were five affirmatives and no negatives. The motion passed. The ordinance was adopted at the same meeting of its introduction.

**ORDINANCE No. 1549
of the
TOWN of HIGHLAND, INDIANA**

AN ORDINANCE to ESTABLISH THE WAGE and SALARY RATES of the ELECTED OFFICERS, the NON-ELECTED OFFICERS, and the EMPLOYEES of the TOWN of HIGHLAND, INDIANA and to AMEND PROVISIONS IN THE COMPENSATION and BENEFITS ORDINANCE.

WHEREAS, Title 36, Article 1 Chapter 4 of the Indiana Code confers certain general corporate powers on the several units of government in Indiana;

WHEREAS, Section fifteen of that chapter specifically provides that a unit of government may fix the level of compensation of its officers and employees; and

WHEREAS, I.C. 36-5-3-2 further provides in pertinent part that the town legislative body shall provide reasonable compensation for the other town officers and employees;

WHEREAS, I.C. 36-5-3-2(b), still further provides that the Town Legislative body shall, by ordinance fix the compensation of its own members and the Town Clerk-Treasurer;

WHEREAS, I.C. 36-5-3-2(c) still further provides that the compensation of an elected town officer may not be changed in the year for which it is fixed, nor may it be reduced below the amount fixed for the previous year; and

WHEREAS, The Town Council of the Town of Highland, as the town legislative body, now desires to fix the compensation of its elected officers, appointed officers and employees of the Town for the year

ensuing;

NOW, THEREFORE, BE IT HEREBY ORDAINED by the Town Council of the Town of Highland, Lake County, Indiana, that the Wages, Salaries, and special detail levels of the Officers and Employees of the Town of Highland, are hereby established and fixed, pursuant to the provisions indicated herein and as follows:

Section 1. (a) That except as otherwise expressly provided in this ordinance or the compensation and benefits ordinance, the base salary or wage outlined in this ordinance is hereby authorized for all regular full-time employees of the municipality who occupy an authorized position of the municipality at the time of its passage and adoption, with any changes set forth herein to be effective **from January 5, 2014 or at the conclusion of an authorized medical disability leave;**

(b) That department heads and the Clerk-Treasurer are hereby authorized to grant an increase in the amount of up to twenty-five cents (25¢) per hour, at the department head's or the clerk-treasurer's discretion, for regular part-time, non-temporary employees and street crossing guards currently in service with the municipality in their position as of this enactment's passage, **provided such increase remains within prescribed ranges or terms of this ordinance;**

(c) No other wage or salary increases not otherwise provided by statute or by ordinances of the Municipality may be distributed to any single employee or officer, unless specifically approved by the Town Council or proper board of jurisdiction;

Section 2. (a) That unless otherwise provided by this ordinance, all new employees will start at the identified starting wage or salary for their job position unless approved by the Town Council **or authorized board of jurisdiction to do otherwise.** Where no starting wage or salary is depicted, the Town Council or authorized board of jurisdiction shall fix such pay by proper enactment prior to the payment of wages or salary. **Department heads shall notify the Clerk-Treasurer in writing of all individual raises and their effective dates;**

(b) Further, department heads shall report all rates and wages as a rate per hour for all hourly wage earners and a bi-weekly rate for all salaried wage earners as set forth in this ordinance. **Such other increases or change of biweekly or hourly pay executed pursuant to this ordinance shall not be made effective earlier than the month in which it is properly filed;**

(c) *Incumbent defined.* Further, except as otherwise provided in the Compensation and Benefits Ordinance regarding acting pay, the term Incumbent rate as used in this ordinance shall be construed to mean a rate or wage applied to a worker in the position for more than one year;

Section 3. That supervisors will receive no overtime pay except where governed by law and as approved by the Town Council. Supervisors, Department Heads are further advised as follows:

(a) New temporary employees will receive no less than \$7.25 per hour; Further, returning temporary employees may receive \$7.50 per hour; and Experienced temporary employees may receive \$7.75 per hour, provided such increase remain within prescribed ranges;

(b) Temporary employee is defined in Compensation and Benefits Ordinance, commonly called the Employee Handbook, as amended. Returning temporary employee is defined as an employee who has once previously worked for the Town of Highland. Experienced temporary employee is defined as an employee who has previously worked for the Town of Highland more than once.

(c) For the purposes of this ordinance, references to department head or supervisor shall be construed to include the Clerk-Treasurer when acting in that capacity.

Section 4. That the approved staffing levels for certain positions in the various offices and departments are hereby approved as indicated by a parenthetical number. However, the staffing levels set forth in this ordinance should not be construed in derogation of the approved positions for the Highland Metropolitan Police Department which remains governed by the authorized manpower provisions of Highland Municipal Code 9.10.010 (C) as may be amended or any other department for which its authorized staff strength is fixed by ordinance;

Section 5. In addition to those provisions providing for a salary for the duly appointed attorney of the various boards or commissions of the municipality, the duly appointed attorney is authorized to bill for legal services performed outside the scope of the retained services salary for hours spent on lawful business of the municipality according to the rates and terms of a letter of acceptance placed on file with the municipal clerk.

Section 6. That subject to the provisions of this ordinance, the salary and wages for the elected officers, non-elected officers and employees of the Town of Highland are hereby fixed for its departments and offices as follows:

(a) Office of the Town Council

| | | |
|------------------------|-----|-----------------------|
| Town Council President | (1) | \$ 1,226.00 per month |
|------------------------|-----|-----------------------|

Town Council Member (4) \$ 1,164.00 per month

That the foregoing salaries of the legislative body members remain at the level first fixed by Ordinance 1054, passed and adopted December 30, 1996 to be effective beginning in 1997, unchanged owing to the provisions of IC 36-5-3-2(c);

Town Council Attorney paid at an hourly rate according to terms set forth in attorney's letter of acceptance on file.

(b) Advisory Board of Zoning Appeals

Chairman(1) \$ 150 per quarter

Members (4) each \$ 120 per quarter

Attorney paid at an hourly rate according to terms set forth in attorney's letter of acceptance on file.

Recording Secretary \$ 50 per month

(c) Municipal (Advisory) Plan Commission

Chairman (Citizen member) (1) \$ 150 per quarter

Citizen Member Secretary (1) \$ 120 per quarter

Citizen Members (2) \$ 120 per quarter

Legislative Body appointees (3) see below

If legislative body appointees are elected or appointed officials of the municipality, they are not entitled to pay for service on municipal plan commission in order to be consistent with the purposes of Article 2, Section 5 of the Indiana Constitution.

Attorney paid at an hourly rate according to terms set forth in attorney's letter of acceptance on file.

Recording Secretary \$ 50 per month

(d) Town Board of Metropolitan Police Commissioners

Chairman (1) \$ 50 per month

Members (4) \$ 40 per month

Attorney \$ 200 per month

Recording Secretary \$ 50 per month
(Commissioners salaries are payable monthly (Pursuant to State law; Confer IC 36-8-9-3(e)))

(e) Board of Sanitary Commissioners

The Town Council hereby incorporates by reference and approves the compensation for each individual commissioner of the Board of Sanitary Commissioners pursuant to the provisions of I.C. 36-9-25-3(e) which reads: "The appointed commissioners are entitled to a salary of not less than three thousand six hundred dollars (\$3,600) a year during actual construction and not less than six hundred dollars (\$600) a year in other years:

(i) During Actual Construction:

President (1) \$ 4,500.00 per year (\$375.00 mo.)
Commissioners (4) each \$ 3,600.00 per year (\$300.00 mo.)

(ii) During other years:

President (1) \$ 750.00 per year (\$62.50 mo.)
Commissioners (4) each \$ 600.00 per year (\$50.00 mo.)

(f) Water Works Board of Directors

President (1) \$ 50 per month

Citizen Members (4) each \$ 40 per month

(g) **Park and Recreation Board**

President (1) \$150 per quarter

Citizen Members (3) each \$ 120 per quarter

Member appointed by School Board (1) See below

Member appointed by Library Board (1) See below

Authority to Fix this compensation: IC 36-10-3-9(a). The salary of any board members whose appointing authority is other than the **Town Legislative Body** will not be paid from the Municipal Treasury but may be paid from the treasury of the appointing authority, subject to law. However, any Board member whose appointing authority is other than the **Town Legislative Body** has all other rights of members appointed by the **Town Legislative Body** including the payment of actual expenses as provided in IC 36-10-3-9(b).

(h) **Redevelopment Commission**

Redevelopment Commissioners who do not otherwise hold a lucrative office for the purpose of Article 2, Section 5 of the Indiana Constitution shall receive the salary, which is hereby fixed as follows:

President (1) \$ 50 per month

Vice President (1) \$ 40 per month

Secretary (1) \$ 40 per month

Members (2) \$ 40 per month

All Redevelopment Commissioners are entitled to reimbursement for expenses necessarily incurred in the performance of their duties. (Pursuant to State law; Confer IC 36-7-14-7(f)(g));

Section 7. That subject to the provisions of this ordinance, the salary and wages for the elected officers, non-elected officers and employees of the Town of Highland are hereby fixed for its Office of the Clerk-Treasurer as follows:

(a) **Elected Officer**

(1) That the salary of the clerk-treasurer shall be paid biweekly and shall be hereby fixed as set forth below:

(A) That the compensation for a Clerk-Treasurer possessing a graduate level degree in related field granted from an accredited university or college and possessing two or more relevant professional certifications from a generally accepted professional association including but not limited to Indiana League of Municipal Clerks and Treasurers, International Institute of Municipal Clerks, Association of Public Treasurers, Government Finance Officers Association, Society of Management Accountants or the American Society of Public Accounts is hereby fixed as follows:

(i) Effective from January 6, 2013: \$ 2,600.59 bi-weekly;

(ii) Effective from January 5, 2014: \$ 2,678.61 bi-weekly;

(The Clerk-Treasurer has 5 certifications and a M.P.A. at date of passage)

(B) That the compensation for a Clerk-Treasurer possessing a graduate degree in related field granted from an accredited university or college and possessing one or less relevant professional certifications from a generally accepted professional association including but not limited to Indiana League of Municipal Clerks and Treasurers, International Institute of Municipal Clerks, Association of Public Treasurers, Government Finance Officers Association, Society of Management Accountants or the American Society of Public Accounts is hereby fixed at \$2,503.16 bi-weekly; and,

(C) That the compensation for a Clerk-Treasurer possessing a relevant professional certification from a generally accepted professional association including but not limited to Indiana League of Municipal Clerks and Treasurers, International Institute of Municipal Clerks, Association of Public Treasurers, Government Finance Officers Association, Society of Management Accountants or the American Society of Public Accounts is hereby fixed at \$2,371.32 bi-weekly; and,

(D) That the compensation for a Clerk-Treasurer possessing no relevant professional certification(s) from a generally accepted professional association nor possessing a graduate level degree in a related field granted from an accredited University or College is hereby fixed at \$2,107.80 bi-weekly;

(b) **Supervisory Employee(s)**

(1) Deputy Clerk-Treasurer

(A) That the base compensation for a deputy clerk-treasurer possessing no relevant professional certification(s) from a generally accepted professional association nor possessing a baccalaureate level degree in a relevant field granted from an accredited University or College is hereby fixed as follows:

| Starting Rate | Incumbent Rate (after 1 year) |
|------------------|----------------------------------|
| \$ 1,604.10 | \$ 1,695.99 bi-weekly |

(B) That the compensation for a deputy clerk-treasurer possessing both **baccalaureate** level degree in a relevant field granted from an accredited University or College and a relevant professional certification from a generally accepted professional association including but not limited to Indiana League of Municipal Clerks and Treasurers, International Institute of Municipal Clerks, Association of Public Treasurers, Government Finance Officers Association, Society of Management Accountants or the American Society of Public Accounts is hereby fixed as follows:

| Starting Rate | Incumbent Rate |
|------------------|-----------------------|
| \$ 1,847.80 | \$ 1,847.80 bi-weekly |

(c) (1) Associate Employees and Staff

| | | Starting Rate | Incumbent Rate |
|--|-------|-------------------|-------------------|
| Associate Clerk, Payroll & Personnel | (1) | \$16.98 | \$16.98 hr. |
| Encumbering Officer | (1) | \$16.98 | \$16.98 hr. |
| Chancery / Bursar Clerk | (1) | \$15.13 | \$16.32 hr. |
| Chancery / Bursar Clerk | (1) | \$15.13 | \$15.13hr. |
| Chamberlain Clerk | (1) | \$13.71 | \$13.71 hr. |
| Chamberlain Clerk (part-time) | (X) | \$13.71 | \$13.71 hr. |
| Chancery & Bursar Aide (part-time) | (X) | \$ 7.25-12.00 hr. | \$7.25-12.00 hr. |
| Information Technology Coordinator (part-time) | | \$11.00 hr. | \$11.00 hr. |

For the purpose of training or special assistance, retired senior staff or separated staff may be paid as part-time workers at the hourly rate equivalent of the last approved salary or wage including longevity prior to retirement.

(c) (2) Associate Employees and Staff:

| | | Starting Rate | Incumbent Rate |
|-----------------------|---------------------|------------------|-------------------|
| Lead Utility Clerk | (1) | \$16.98 | \$16.98 hr. |
| Utility Systems Clerk | (2) ^{xx} | \$16.07 | \$16.07 hr. |

^{xx} Once or if a worker is assigned the **Lead Utility Clerk** position, the authorization for this position is reduced to one (1).

(d) Certifications: That a full-time worker described in subsection (b) and (c), possessing a relevant professional certification from a generally accepted professional association including **but not limited to** Indiana League of Municipal Clerks and Treasurers, International Institute of Municipal Clerks, Association of Public Treasurers, Government Finance Officers Association, Society of Management Accountants, the American Society of Public Accounts, the American Water Works Association, or the American Payroll Association as may be authorized or approved by the proper officer, the base rate shall have added to base pay an adjustment according to the following schedule:

| | | <i>Salaried adds</i> | <i>Hourly adds</i> |
|---|---------|----------------------|--------------------|
| Indiana Accredited Municipal Clerk | (IAMC) | \$33.62 bi-weekly | 42¢ per hour |
| Certified Municipal Clerk | (CMC) | \$42.02 bi-weekly | 53¢ per hour |
| Master Municipal Clerk | (MMC) | \$62.01 bi-weekly | 79¢ per hour |
| <i>(MMC pay substitutes and replaces the CMC pay. Pursuant to IIMC rules, the MMC replaces the CMC and that designation is dropped)</i> | | | |
| Certified Public Finance Administrator | (CPFA) | \$42.02 bi-weekly | 53¢ per hour |
| Certified Public Funds Investment Manager | (CPFIM) | \$33.62 bi-weekly | 42¢ per hour |
| Certified Public Finance Officer | (CPFO) | \$84.05 | \$1.05 per hour |
| Fundamental Payroll Certification | (FPC) | \$42.02 bi-weekly | 53¢ per hour |
| Certified Payroll Professional | (CCP) | \$62.01 bi-weekly | 79¢ per hour |
| (Utility) Customer Service Representative | (CCR) | \$62.01 bi-weekly | 79¢ per hour |

(E) Additional provisions.

For any position described in subsections (b) and (c), a duly selected or promoted successor employee may be paid

at the new position's pay rate even when the position is still occupied by a departing incumbent employee for the purposes of training by the incumbent employee. The foregoing training pay arrangement may not be for a period of longer than forty-five (45) days.

Section 8. That subject to the provisions of this ordinance, the salary and wages for the non-elected officers and employees of the Town of Highland are hereby fixed for its **Building and Inspection Department** as follows:

(a) **Supervisory Employees**

| | Starting Rate | Incumbent Rate |
|---|----------------------|-----------------------|
| Chief Inspector/Building Commissioner (1) | | \$2,431.21 bi-weekly; |

(b) **Inspection/Enforcement Employees**

| | | |
|---|--------------------------|------------------|
| Assistant Inspectors: | | |
| Assistant Inspector for Ordinance Enforcement (part-time) | \$10.20- \$20.40 per hr. | |
| Assistant Inspector for Electrical (part-time) | | \$ 20.40 per hr. |

Notwithstanding the provisions of Section § 2.05 of the Compensation and Benefits Ordinance, the hourly part-time employees performing enforcement duties are regular part-time employees, however they may regularly work up to 78 hours in a pay period.

| | | |
|--|--|---|
| Assistant Inspector for Plumbing (part-time) | | \$15.30 for each one-unit plumbing examination proctored as provided in §210.074; |
| | | \$21.42 for each inspection performed as described in § 210.066(G) of the Highland Municipal Code. |

(c) **Associate Employees and Staff**

| | Starting Rate | Incumbent Rate |
|----------------------------|---------------------------|-----------------------|
| Inspection Secretary (1) | \$16.51 | \$16.51 per hr. |
| Inspection Clerk (1) | \$ 7.40 - \$12.75 per hr. | |

Section 9. That subject to the provisions of this ordinance, the salary and wages for the non-elected officers and employees of the Town of Highland are hereby fixed for its **Public Works Department** as follows:

(a) **Supervisory Employees**

| | Starting Rate | Incumbent Rate |
|---------------------------------------|----------------------|-----------------------|
| Public Works Director (1) | | |
| With an employer provided vehicle: | | \$ 2,922.91 bi-weekly |
| Without an employer provider vehicle: | | \$ 3,069.54 bi-weekly |
| Assistant Public Works Director (1) | | |
| With an employer provided vehicle: | \$ 2,438.66 bi-wkly | \$ 2,438.66 bi-weekly |
| Without an employer provider vehicle: | \$ 2,585.31 bi-wkly | \$ 2,585.31 bi-weekly |
| Supervisor Streets (1) | \$ 2,060.91 bi-wkly | \$ 2,060.91 bi-weekly |
| Supervisor Water & Sewer (1) | \$ 2,060.91 bi-wkly | \$ 2,060.91 bi-weekly |
| Supervisor Maintenance (1) | \$ 2,060.91 bi-wkly | \$ 2,060.91 bi-weekly |
| Supervisor Facilities (1) | \$ 2,060.91 bi-wkly | \$ 2,060.91 bi-weekly |

(b) **Associate Staff and Employees**

| | Starting Rate | Incumbent Rate |
|---------------------------------|----------------------|-----------------------|
| Public Works Secretary (1) | \$16.15 | \$19.45 per hr. |
| Dispatch Clerk (1) | \$14.85 | \$14.85 per hr. |
| Senior Utility Technician (1) | \$19.94** | \$19.94** per hr. |

| | | | |
|--|----------|----------------|--------------------------|
| Utility Technician | (2) | \$16.23 | \$16.23 per hr. |
| This base rate shall be modified as follows: | | | |
| w/ Commercial Drivers License add | | \$00.55 | \$ 00.55 per hr. |
| w/DSL Operators' License add | | \$ 1.10 | \$ 1.10 per hr. |
| w/CT Operator's License add | | \$ 0.28 | \$ 0.28 per hr. |
| Utility Worker /Equipment Operator | (2) | \$ 19.94** | \$ 19.94 per hr. |
| Utility Worker /Equipment Operator | (2) | \$ 19.94 ** | \$ 21.03 per hr. |
| Pump Station Operator | (2) | \$17.16 | \$17.16 per hr. |
| This base rate shall be modified as follows: | | | |
| w/ Commercial Drivers License add | | \$ 00.55 | \$ 00.55 per hr. |
| w/DSL Operators' License add | | \$ 1.10 | \$ 1.10 per hr. |
| w/ CT Operators' License add | | \$00.28 | \$00.87 per hr. |
| w/ Backflow prevention license | | \$00.28 | \$00.28 per hr. |
| Street Sweeper Operator | (2) | \$17.90 | \$17.90 per hr. |
| Utility Worker/Driver A | (4) | \$ 19.36 | \$ 19.36 per hr. |
| Utility Worker/Driver B | (3) | \$ 16.60 | \$ 16.60 per hr. |
| Utility Worker/Driver C | (2) | \$ 14.03 | \$ 14.03 per hr. |
| Senior Mechanic | (1) | \$ 19.99 | \$ 19.99 per hr. |
| Mechanic | (1)*** | \$ 18.18 | \$ 18.18 per hr. |
| Mechanic | (2) | \$ 18.18 | \$ 18.18-\$19.55 per hr. |

*** Once a worker is assigned the **Senior Mechanic's** position, the authorization for this position is reduced to zero (0).

| | | | |
|-----------------------------------|-------|---------|-----------------|
| Sign & Traffic Control Technician | (1) | \$16.78 | \$16.78 per hr. |
| w/ Commercial Drivers License add | | \$ 0.55 | \$ 0.55 per hr. |
| w/MUTCD* Certification add | | \$ 1.10 | \$ 1.10 per hr. |

*Satisfactory completion of training course on the Manual of Uniform Traffic Control Devices as provided by the American Public Works Association (APWA), Local Technical Assistance Program (LTAP), the American Traffic Safety Services Association (ATSSA) or the International Municipal Sign Association (ISMA).

| | | | |
|-----------------------|-------|---------|-------------------------|
| Utility Worker A | (3) | \$14.66 | \$14.66-\$15.95 per hr. |
| Utility Worker B | (3) | \$11.32 | \$11.32-\$13.97 per hr. |
| Custodian | (1) | \$13.58 | \$13.58 per hr. |
| Attendant Town Garage | (1) | \$12.62 | \$13.19 per hr. |

| | |
|--|----------------------------|
| Secretary (part-time) | \$ 7.25-\$12.50 per hr. |
| Laborer (<i>not truck driver</i>)(part-time) | \$ 7.25-\$ 11.64 per hr. |
| Master Gardener/Streetscaping (part-time) | \$12.00 - \$ 14.00 per hr. |

** (c) Starting rate effected by the following provisions:

- (1) **For the position of Senior Utility Technician (SUT)**, vacancies shall be posted at **\$19.36** per hour. Rate shall be adjusted upward and remain equal to, but not exceeding, the lowest paid UW/EO at the time that the lowest paid UW/EO receives any rate increases.
- (2) **For the positions of Utility Worker/Equip Op (UW/EO)**, if top (senior) UW/EO departs, the incumbent wage and starting wage for UW/EO shall be the average of all four UW/EO wages.

(d) Additional provisions.

For any position described in subsections (b) through (c), a duly selected or promoted successor employee may be paid at the new position's pay rate even when the position is still occupied by a departing incumbent employee for the purposes of training by the incumbent employee. The foregoing training pay arrangement may not be for a period of longer than forty-five (45) days.

Section 10. That subject to the provisions of this ordinance, the salary and wages for the non-elected officers and employees of the Town of Highland are hereby fixed for its **Metropolitan Police Department** as follows:

(a) **Chief of the Department**

Chief of Police (1)

- (A) Starting rate: If an initial appointment, the bi-weekly pay of the chief of police shall be fixed at \$ 2,640.87 bi-weekly.

(B) Incumbent Rate: \$ 2,922.91 bi-weekly.

(b) **Sergeants and Corporals**

- | (1) Rank or Grade | Starting Rate | Incumbent Rate |
|-------------------|---------------|-----------------------|
| Sergeant (8) | \$2,393.60 | \$2,393.60 bi-weekly |
| Corporal (10) | \$2,259.39 | \$2, 259.39 bi-weekly |
- (2) In the event that the Town Board of Metropolitan Police Commissioners determines that it is desirable or necessary to assign or detail an officer holding the rank or grade of **Sergeant** or **Corporal** to a specialty assignment or division transfer to the Crime Impact Unit of the Highland Police Department (CIU/HPD) or participates in a Multi-Jurisdictional law enforcement assignment (GRIT/FBI), while in that detail or on that assignment, the officer is to be paid at the rate set forth below, without loss of rank, and provided that the assignment and associated pay is *position-directed*, or *economically based*, and *non-disciplinary* in purpose:
- | Rank or Grade | Starting Rate | Incumbent Rate |
|---------------|---------------|------------------------|
| Sergeant | \$ 2,259.39 | \$ 2, 259.39 bi-weekly |
| Corporal | \$ 2,208.88 | \$ 2,208.88 bi-weekly |
- (3) An assignment as described above will not modify in any way the authorized limit for the rank of Sergeant or Corporal as set forth in subdivision (b)(1) of this section.

(c) **Other Police Officers and Assignments.**

- (1) All initial appointments to the Metropolitan Police Department, regardless of previous law enforcement experience, shall be probationary in nature pursuant to Regulation 11 of the Metropolitan Police Department and under the authority of IC 36-8-9-7. The basis for promotion to the several grades (classes) will be based upon written guidelines, rules or regulations determined by the Town Board of Metropolitan Police Commissioners.
- (2) A candidate/officer possessing a Law Enforcement Academy certification is eligible for initial appointment to Police Officer classes 1-4. A candidate/officer possessing no Law Enforcement Academy certification is only eligible for initial appointment to Police Officer class 4.
- (3) **There is established a pay grade styled as Police Officer 1 (Special). An officer possessing the rank of Police Officer First (Class), that possesses at least thirty four years of service as a police officer, the last twenty-five of which have been served consecutively and successfully with the Highland Metropolitan Police Department, shall be paid the identified biweekly salary as base pay. For the purposes of establishing pension benefits under IC 36-8-1-11, IC 36-8-6-9, IC 36-8-6-9.6, IC 36-8-8-8 and IC 36-8-8-11, or employer contributions under IC 36-8-8-6, the salary of the Patrol Officer 1 (Special) plus the longevity pay for twenty years shall be used.**

| | Starting Rate | Incumbent Rate |
|---|--------------------|------------------------------|
| Police Officer 1 (Special) | \$ 2,332.49 | \$ 2,332.49 bi-weekly |
| Police Officer 1 | \$ 2,156.84 | \$ 2,156.84 bi-weekly |
| Police Officer 2 | \$ 1,902.28 | \$ 1,902.28 bi-weekly |
| Police Officer 3 | \$ 1,781.25 | \$ 1,781.25 bi-weekly |
| Police Officer 4 (no LEA certification) | \$ 1,613.50 | \$ 1,613.50 bi-weekly |

(4) The following represent assignments in the Metropolitan Police Department for which the following salaries are authorized.—Persons so assigned shall be paid the greater of the assigned person's pay attached to his or her actual service rank or grade or the pay associated with the listed assignments depicted as follows:

| | |
|--------------------------|-----------------------|
| Division Commander (3) | \$2,527.77 bi-weekly |
| Deputy Commander (1) | \$ 2,393.60 bi-weekly |

(5) The following rank has been deemed a **trace rank**. Only officers employed in good standing with the Metropolitan Police Department on or before April 12, 2001 shall be eligible to elevation to the trace rank of Lance Corporal. This trace rank shall be conferred on all Patrol Officers First Class, who meet the date eligibility indicated, who have successfully completed ten (10) years of continuous service with the Highland Metropolitan Police Department and upon approval of the Town Board of Metropolitan Police Commissioners. Officers currently holding such rank will continue to hold such rank until their **promotion** or separation from service with the Metropolitan Police Department at the level of pay set forth in this ordinance. Having separated, an officer

having once been eligible to hold the trace rank or having the trace rank at the time of separation shall not be eligible hold such rank if officer is later re-hired unless ordered by a court.

Lance Corporal

\$2,208.93 bi-weekly

(d) Other Associate Staff and Public Safety Dispatching Employees

| | | Starting Rate | Incumbent Rate |
|--|-------------|--------------------------|---------------------------|
| **Support Services Administrator (1) | | | \$ 1,765.01 bi-weekly |
| *Secretary (1) | | \$ 16.22 | \$ 19.11 per hr. |
| *Police Records Clerk (2) | | \$ 13.44 | \$ 13.44 per hr. |
| *Secretary (part-time) | | \$16.22 | \$19.11 per hr. |
| <i>*Starting rate shall apply to any person with less than 1-year experience in the position.*</i> | | | |
| Police Records Clerk | (part-time) | \$ 13.44 | \$ 13.44 hr. |
| Animal Warden | (part-time) | \$ 8.00 hr. - | \$ 15.00 hr. |
| Crossing Guard | (part-time) | \$7.66 hr. - | \$8.76 hr. |
| Sub Crossing Guard | (part-time) | \$7.66 hr. - | \$8.76 hr. |
| Metropolitan Police Chaplain (4) | | | no pay |

Matron or Clerk Duty (call-out) hourly rate - 2 hour minimum
Off-Duty Court Time (2 hour minimum) hourly rate

** The terms of the employment agreement adopted by the Town Council on 29 June 2006 are incorporated and ratified by reference and by proper Resolution regarding the Support Services Administrator, pursuant IC 36-5-3-2 and IC 36-8-2.

| | | Starting Rate | Six Mos. Rate | Incumbent Rate w/ Yr. or more service |
|----------------|-------------|--------------------------|--------------------------|--|
| Radio Operator | (X) | \$14.21 | \$15.73 | \$19.07 hr. |
| Radio Operator | (part-time) | \$14.21 | \$15.73 | \$19.07 hr. |

¹Public Safety Clerk-Radio Operator (1)

¹ This *full-time* position is performed by one (1) person, but will involve the tasks associated with the job descriptions of Records Clerk and Radio Operator. The rate of pay will be based upon the tasks being performed. When performing tasks associated with Records clerk, the rate of pay will be that as established by the wage and salary ordinance for a records clerk. When performing tasks associated with Radio operator, the rate of pay will be that as established by the wage and salary ordinance for a radio operator.

(e) Special Detail Pay Provisions:

- (1) Overtime provisions of the Compensation and Benefits Ordinance notwithstanding, the following special assignments or details will be paid at the following rate:

Special Duty /Highland Grove Security Detail: \$ 20 per hour**

***Or at an hourly rate fixed as set forth in an agreement or memorandum authorized by ordinance of the municipality providing for special patrol zones and related agreements.*

- (2) Overtime provisions of the Compensation and Benefits Ordinance notwithstanding, the following special assignments or details will be paid at the following rate:

Special Community Events sponsored by the Municipality by
one or more of its executive

Departments, agencies, or councils: 1.5 times the base hourly wage rate of 1st Class Patrol
Officer (w/o long.)
(\$26.96 x 1.5 =
\$40.44 hrly.)

- (3) Overtime provisions of the Compensation and Benefits Ordinance notwithstanding, the following special assignments or details will be paid at 1.5 times the composite rate (base rate plus longevity rate) of the assigned officer for hours performing the special assignment, provided such rate is lawful and authorized under the terms of the supporting grant:

Lake County Task Drug Task Force
Grant Supported Special Law Enforcement Detail(s) or Patrols
(OWI;DWI;Sobriety Checks/Domestic Violence Duties/)

- (4) No rate of pay may be fixed for any regular duty or special detail or described employment, regardless of the source of funds, that has not been authorized or provided for in this Wage and Salary Ordinance as amended in effect or the Compensation and Benefits Ordinance as amended and in effect;

(f) **Specialty Pay:**

| | | |
|-------|-------------------------|-------------------|
| (1) | I.D.A.C.S. Coordinator | \$32.77 per month |
| (8) | Each Motorcycle Officer | \$32.77 per month |
| (4) | Range Officers | \$32.77 per month |
| (7) | Field Training Officers | \$32.77 per month |
| (2) | Canine Officer | \$32.77 per month |
| (1) | Systems Administrator | \$32.77 per month |

Specialty payments to be made for those months as prescribed by the Chief of Police in each category. Range instructors and motorcyclists are paid only during the months May through October.

Section 11. That subject to the provisions of this ordinance, the salary and wages for the non-elected officers and employees of the Town of Highland are hereby fixed for its **Parks and Recreation Department** as follows:

(a) **Supervisory Staff or Employees**

| | | Starting Rate | Incumbent Rate |
|--|-------|--------------------------|---------------------------------|
| Superintendent of Parks and Recreation (1) | | | |
| With an employer provided vehicle: | | | \$ 2,474.91 bi-weekly |
| Without an employer provider vehicle: | | | \$ 2,621.57 bi-weekly |
| Director of Parks | (1) | | \$2,051.47 bi-weekly |
| Director of Recreation | (1) | | \$ 1,769.44 bi-weekly |
| Recreation Supervisor | (3) | \$ 1,235.68 | \$1,235.68-\$1,315.96 bi-weekly |

(b) **Associate Staff and Employees**

| | | Starting Rate | Incumbent Rate(s) |
|--------------------------------|-------|--------------------------|------------------------------|
| Park Secretary | (1) | \$14.76 | \$14.76 per hr. |
| Park Repairs Specialist | (1) | \$16.06 | \$17.22 per hr. |
| Park Specialist | (9) | \$11.32 | \$11.32-\$16.41 per hr. |
| Laborers (part-time) | | \$7.25 –12.10 per hr. | |
| Recreation Leaders (part-time) | | \$7.25 –12.10 per hr. | |
| Recreation Program Instructors | | \$7.25 - 50.00 per hr. | |

Pursuant to IC 36-10-3-10(b), the Park and Recreation Board shall fix the compensation of the positions in which a range for salaries or wages are indicated in this Ordinance.

Section 12. That subject to the provisions of this ordinance, the salary and wages for the non-elected officers and employees of the Town of Highland are hereby fixed for its **Fire Department** as follows:

(a) **Supervisory Staff or Specialty Employees**

| | | Starting Rate | Incumbent Rate |
|---------------------------------|-------|--------------------------|--|
| Fire Chief/Inspector | (1) | | \$2,323.74 bi-weekly |
| Assistant Chief for Logistics | (1) | | \$ 1,500 per year (\$ 375 per quarter) |
| Assistant Chief for Safety | (1) | | \$ 1,500.00 per year (\$ 375 per quarter) |
| Assistant Chief for Planning | (1) | | \$ 1,200.00 per year (\$ 300 per quarter) |
| Assistant Chiefs for Operations | (3) | | \$ 1,200.00 per year (\$ 300 per quarter) |

| | | |
|------------------|-------|---|
| Station Captains | (2) | \$ 500.00 per year (\$125 per quarter) |
| Lieutenants | (4) | \$ 350.00 per year (\$87.50 per quarter) |
| Mechanics | (1) | \$ 500.00 per year (\$125 per quarter) |

(b) Except as otherwise provided for the Fire Chief, the compensation for the positions listed above shall be considered in addition to any and all such compensation earned as a firefighter. However, full-time Town employees who are also members of the Highland Fire Department shall not be entitled to additional compensation when responding to fire or ambulance calls while on duty at their regular full-time position.

(c) The Fire Chief shall not be entitled to additional compensation apart from his bi-weekly salary when responding to fire or ambulance calls nor for any training nor inspection participation.

| | |
|-----------------------|-----------------------|
| Secretary (part-time) | \$7.25 –12.50 per hr. |
| Custodian (part-time) | \$7.25 –12.00 per hr. |

(d) Fire Fighters compensation shall be as follows:

| | |
|--|--------------|
| Fire Calls (per hour or fraction thereof) (see HMC Section 9.05.050) | \$12.50 hr. |
| Training (per hour or fraction thereof) (see HMC Section 9.05.050) | \$12.50 hr. |
| Special Preparedness duties/ details (per hour or fraction thereof) (see HMC Section 9.05.050) | \$12.50 hr. |
| Special Maintenance (non-custodial) duties/ details (per hour or fraction thereof) (see HMC Section 9.05.050) | \$12.50 hr.. |
| Inspection (per hour or fraction thereof) (see HMC Section 9.05.050) | \$ 9.00 hr. |

(e) Firefighters and EMT compensation shall be paid quarterly.

(f) For the following calls, responses or participation by the fire fighters, a stipend in lieu of direct compensation, shall be paid to the Highland Volunteer Fire Fighter Association, to be made as follows:

| | |
|-------------------------------------|---|
| Still Alarms: | \$ 50.00 per call |
| Monthly General Membership Meeting: | \$1.00 per member in attendance as certified by the Fire Chief or his/her designee. |

Section 13. That all portions of ordinances in conflict with this ordinance are hereby repealed and are of no further force nor effect;

Section 14. That except where otherwise noted herein, other compensation and benefits matters not expressly provided herein for salaried and hourly employees and the clerk-treasurer shall be as set forth in the Compensation and Benefits Ordinance, commonly called the Employee Handbook as amended from time to time. The pay period is hereby defined as bi-weekly. The bi-weekly term for such pay represents the fourteen (14) day period, commencing at 12:01 a.m. Sunday and extending to and concluding just before Midnight of the second following Saturday, immediately preceding the week of the scheduled payday; beginning on January 5, 2014 and continuing thereafter;

Section 15. (A) That an emergency exists for the immediate taking affect of this Ordinance, which, subject to the provisions of this ordinance, shall become effective and shall remain in full force and effect from and after the date of its passage and adoption, **but not sooner than January 5, 2014**, pursuant to any effective dates herein described and until its repeal or amendment by subsequent enactment;

(B) That the Clerk-Treasurer shall have authority to implement the provisions of this ordinance pursuant to the authority expressly set forth in IC 36-5-6-6 (a) (3) & (4).

Introduced and Filed on the 23rd day of December 2013. Consideration on same day or at same meeting of introduction sustained a vote of 5 in favor and 0 opposed, pursuant to IC 36-5-2-9.8.

DULY ORDAINED and ADOPTED this 23rd Day of December 2013 , by the Town Council of the Town of Highland, Lake County, Indiana, having been passed by a vote of 5 in favor and 0 opposed.

**TOWN COUNCIL of the TOWN of
HIGHLAND, INDIANA**

Bernie Zemen, President (IC 36-5-2-10)

Attest:

Michael W. Griffin, IAMC/MMC/CPFA/CPFIM/CMO
Clerk-Treasurer (IC 33-16-4-1;IC 36-5-6-5)

20. Action on Bids received by the Building Commissioner for demolition services associated with an Unsafe Building action for the site of the former Chela's Restaurant, 3325 45th Avenue, Highland. *The Building Commissioner received bids on December 12, 2013. Seven demolition contractors responded with the lowest bid being \$53,445 and the highest bid being \$112,150. (Bid Tab in Packet).*

Councilor Vassar moved that the bids as received by the Building Commissioner be rejected and that the Building Commissioner be instructed to again invite bids for demolition services. Councilor Kuiper seconded. Upon a roll call vote, there were five affirmatives and no negatives. The motion passed. The Building Commissioner was so instructed.

Comments from the Town Council Members

(For the Good of the Order)

- **Councilor Mark Herak:** *Park and Recreation Board Liaison • Budget and Finance Chair • Liaison to the Board of Sanitary Commissioners • Liaison to the Community Events Commission • Liaison to the Park and Recreation Board.*

Councilor Herak expressed his wish that all have a Merry Christmas and a Happy New Year.

- **Councilor Dan Vassar:** *Redevelopment Commission Liaison.*

Councilor Vassar expressed his wish that all have a Merry Christmas and a Happy New Year.

- **Councilor Konnie Kuiper:** *Fire Department, Liaison • Town Board of Metropolitan Police Commissioners Liaison • Chamber of Commerce Liaison*

Councilor Kuiper had no special comments or report.

- **Councilor Dennis Adams:**

Councilor Adams expressed his wish to all for a Merry Christmas as well.

- **Council President Bernie Zemen:** *Chamber of Commerce Liaison • Liaison to the Board of Waterworks Directors • Municipal Executive • Chairman of the Board of Trustees of the Police Pension Fund (1925 Law).*

Council President Zemen wished all a Merry Christmas and Happy New Year and invited all to listen to his radio show on WJOB 1230 AM on Tuesdays.

Comments from Visitors or Residents:

1. Tom Black, 3515 Garfield Avenue, Highland, inquired about the approval of funds for an architect for the Town Theater by the Redevelopment Commission, asking if there were plans to make the theater self sufficient.

Payment of Accounts Payable Vouchers and Approval of Payroll Dockets. There being no further comments from the public, Councilor Kuiper moved to allow the vendors accounts payable vouchers as filed on the pending accounts payable docket, covering the period December 10, 2013 through December 23, 2013 as well as the accounts payable payroll dockets for the payday of November 29, 2013. Councilor Adams seconded. Upon

a roll call vote, there were five affirmatives and no negatives. The motion passed. The accounts payable vouchers for vendors as well as the payroll docket were allowed and the Clerk-Treasurer was authorized to make payment.

Vendors Accounts Payable Docket:

General Fund, \$329,063.03; Motor Vehicle Highway and Street (MVH) Fund, \$27,939.71; Law Enforcement Continuing Education, Training and Supply Fund, \$2,498.98; Capital Projects Retainage Agency Fund, \$21,770.55; Insurance Premiums Agency Fund, \$142,743.30; Information and Communications Technology Fund, \$5,595.85; Civil Donation, \$673.04; Special Events Non-reverting Fund, \$742.00; Municipal Cumulative Capital Development Fund, \$2,170.92; General Improvement Fund, \$28,821.59; Traffic Violations and Law Enforcement Agency Fund, \$4,750.00; Gaming Revenue Sharing Fund, \$160,443.64; Total: \$727,212.61.

Payroll Docket for payday of November 29, 2013:

Council, Boards and Commissions, \$7,481.54; Office of Clerk-Treasurer, \$15,040.65; Building and Inspection Department, \$6,883.53; Metropolitan Police Department, \$95,208.53; Fire Department, \$2,822.95; Public Works Department (Agency), \$62,514.14; and 1925 Police Pension Plan Pension Fund, \$62,299.41 Total Payroll: \$252,250.75.

Adjournment. Councilor Kuiper moved that the plenary meeting be adjourned. Councilor Adams seconded. Upon a vote *viva voce*, the motion passed. The regular plenary meeting of the Town Council of Monday, December 23, 2013 was adjourned at 6:36 O'clock p.m.

Michael W. Griffin, IAMC/MMC/CPFA/CPFIM/CMO
Clerk-Treasurer